DOCUMENT RESUME

ED 355 907 IR 015 966

TITLE	Educational Research, Development, and Dissemination Excellence Act. Report Together with Minority Views to Accompany H.R. 4014. House of Representatives, 102D Congress, 2d Session.
INSTITUTION	Congress of the U.S., Washington, D.C. House Committee on Education and Labor.
REPORT NO	House-R-102-845
PUB DATE	12 Aug 92
NOTE	136p.
PUB TYPE	Legal/Legislative/Regulatory Materials (090) -- Reports - Descriptive (141)
EDRS PRICE	MF01/PC06 Plus Postage.
DESCRIPTORS	Budgeting; *Educational Development; *Educational Research; Federal Government; *Federal Legislation; Government Role; *Information Dissemination; Long Range Planning; Public Agencies; Research and Development
IDENTIFIERS	Office of Educational Research and Improvement; Proposed Legislation

ABSTRACT

This report on the Educational Research, Development, and Dissemination Excellence Act (H.R. 4014), an act to amend the General Education Provisions Act and reauthorize the Office of Educational Research and Improvement through 1996, presents background on the legislation, including a summary of 15 hearings held between 1987 and 1992 and a National Academy of Sciences report on the federal education research and development effort. An explanation of the bill and committee views is then provided; highlights include general provisions, the National Education Research Policy and Priorities Board, national research institutes, the national education dissemination system, the National Library of Education, leadership for education technology, Congressional Budget Office cost estimate, and a section-by-section analysis. The General Education Provisions Act is presented with proposed amendments, and minority views on H.R. 4014 are summarized. (ALF)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

ED355907

102D CONGRESS
2d Session

HOUSE OF REPRESENTATIVES

REPORT
102-845

EDUCATIONAL RESEARCH, DEVELOPMENT, AND DISSEMINATION EXCELLENCE ACT

AUGUST 12, 1992.—Committed to the Committee of the Whole House of the State of the Union and ordered to be printed

Mr. FORD of Michigan, from the Committee on Education and Labor, submitted the following

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)
☐ This document has been reproduced as received from the person or organization originating it
☐ Minor changes have been made to improve reproduction quality
• Points of view or opinions stated in this document do not necessarily represent official OERI position or policy

REPORT

together with

MINORITY VIEWS

[To accompany H.R. 4014]

[Including cost estimate of the Congressional Budget Office]

The Committee on Education and Labor, to whom was referred the bill (H.R. 4104) to improve education in the United States by promoting excellence in research, development, and the dissemination of information, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment strikes out all after the enacting clause of the bill and inserts a new text which appears in italic type in the report bill.

INTRODUCTION

The most powerful summary of the multiple maladies which today afflict and impair the Federal education research and development infrastructure can be found in a study completed by Roger Levien for the Rand Corporation:

> The sums provided [for educational research and development] have been relatively small. * * * The reputation of educational R & D has been relatively low. * * * The focus of educational R & D has been diffuse; small projects asking small questions with small cumulative effect have

IR015966

BEST COPY AVAILABLE

> predominated. The linkage between educational R & D and the education system has been weak; little output of R & D has found its way to the classroom and not many classroom problems have been solved through R & D. Teachers and administrators have been too rarely involved in the quest for new educational knowledge and its use. Finally, the support for educational R & D has been unstable; rapid changes of staff and priorities in Federal agencies have caused frequent fluctuations of emphasis.

The power of this assessment lies not only in its cogent accuracy, but in the fact that it was written not last year, or the year before, but in 1971—twenty-one years ago.

What is so astonishing about the problems which pervade Federal education research and development is that they have been so enduring. The same deficiencies and the same failures cited in studies and reports written deceases ago persist today: underfunding, inadequate coordination, the lack of a coherent and consistent long-term agenda, politicization, non-responsiveness to the needs of educators, and a feeble system of dissemination. Yet, these problems persist not because they are impervious to correction, but because neither the Congress nor the President have worked seriously to address them. Past reauthorizations have tended to tinker on the margins, changing the names of things but not how they are structured and how they function. We have rearranged the deck chairs, instead of reversing the course of a sinking, sputtering ship.

No longer. With H.R. 4104, the committee invites the President to join us in reversing course.

This is a propitious moment to make the fundamental structural changes which are so urgently required. The Subcommittee on Select Education has held 15 hearings over the past five years, hearing from 92 witnesses about the kind of changes which must be made to reinvigorate and repair the Federal education research effort. The National Academy of Education and the National Academy of Sciences have both recently issued complementary reports on education research which outline an agenda for comprehensive change. The co-author of one of those reports is now the Assistant Secretary for OERI. There has never been a better time for meaningful reform.

Nor has the need for a high-quality, fully-functioning education research and development system ever been greater. Attaining the six ambitious National Education Goals promulgated by the President and the Nation's Governors requires more than high hopes and good intentions. It requires sound, research-based knowledge to point the way.

The 1971 Rand report noted that:

> Knowledge can be acquired in two ways: it may be the result of the random and casual process through which most institutions and individuals learn from their experiences—trail and error; or it may be a product of the interrelated and disciplined procedures by which scholars, scientists, and technologists gain information and use it—research and development. R & D has greatly expanded our knowledge of physical and biological phenomena and our

ability to adapt those phenomena to our purposes. While random and casual processes of learning about education will continue, they are insufficient. Educational R & D is necessary to gain the knowledge needed for educational improvement and reform.

Twenty-one years later, it is long past time for us to act to assure that such knowledge is systematically and abundantly produced and that is effectively put to work to improve the Nation's schools.

SUMMARY

The "Educational Research, Development and Dissemination Excellence Act" amends section 405 of the General Education Provisions Act and reauthorizes the Office of Educational Research and Improvement (OERI) through 1996. The bill establishes:

(1) A 20-Member Educational Research Policy and Priorities Board.

(2) Five National Research Institutes:

The National Institute for the Education of At-Risk Students;

The National Institute for Innovation in Educational Governance, Finance, and Management;

The National Institute for Early Childhood Development and Education;

The National Institute for Student Achievement;

The National Institute for Postsecondary Education, Libraries, and Lifelong Learning.

(3) A program of Cross-Cutting Research.

(4) A National Education Dissemination System which includes:

Education Resources Information Center (ERIC);

The use of new technologies and techniques to synthesize and disseminate research and development findings and other information;

Sources of Materials and Research About Teaching and Learning for Improving Nationwide Education (SMARTLINE);

A System of 10 Regional Education Laboratories;

Regional Partnerships for Teacher Change Agents;

A Special Dissemination and Technical Assistance Initiative targeted at the poorest fifty congressional districts.

(5) A National Library of Education to serve as the central location within the Federal Government for information about education.

(6) Leadership for Educational Technology.

BACKGROUND AND NEED FOR THE LEGISLATION

HEARINGS AND TESTIMONY

Introduction

The Subcommittee on Select Education held fifteen hearings of the office of Educational Research and Improvement from July 30, 1987 through March 18, 1992. These hearings covered a myriad of subjects regarding education research and development which elicited information on how OERI could be reinvigorated by increasing

its budget, reorganizing its infrastructure, and redirecting its priorities, especially as they pertain to improving education for at-risk students. What follows is a brief topical description of each hearing.

July 30, 1987

This hearing was convened to examine plans to restructure the Educational Resources Information Center (ERIC) and to ensure the preservation of valuable components of the system during the modification process. Since the Center is widely acknowledged as the world's largest and best-known educational database, the subcommittee wanted assurances that the improvements considered by OERI would maintain the assets of the ERIC system. OERI sought to upgrade and popularize the ERIC system by modifying its dissemination methods and making its contents more accessible. It was also proposed that ERIC have the capacity to provide statistical data. The subcommittee was particularly interested in the comparative user costs of ERIC, the percentage of the Department of Education's budget spent on providing information, the interaction between the ERIC system and other Department programs, and the proposed addition of three components to the system.

Testimony and recommendations were received from the following witnesses: Lynn Barnett, Chair, ERIC Technical Steering Committee; Leslie Bjorncrantz, Curriculum Librarian and Education Bibliographer, Northwestern University; Donald Ely, Director, ERIC Clearinghouse on Information Resources, Syracuse University; Don Erikson, Director, ERIC Clearinghouse on Handicapped and Gifted Children; Natalie Felsher, Reading Specialist, Montgomery County Public Schools; Chester Finn, Assistant Secretary for Educational Research and Improvement, U.S. Department of Education; Charles Hoover, former director, ERIC, and former assistant director for information resources, National Institute of Education; and Kenneth S. Tollett, Distinguished Professor of Higher Education, Graduate School of Arts and Science, Howard University. Additionally, prepared statements, letters, and supplemental materials were submitted by the American Educational Research Association; Robert E. Chesley, educator; and Paula Montgomery, Maryland State Department of Education.

April 20 and 21, 1988

The purpose of these hearings was to determine the extent to which the Nation's education research agenda reflects its key priorities, and the consequences for ignoring them. The subcommittee was interested in exploring the adequacy of the Department of Education's research infrastructure—consisting of a network of labs, centers, and clearinghouses—in meeting the challenges reflected in the current crisis in education. In addition, there was discussion concerning the limited funding of education R&D and the possibility of pressing for greater appropriations.

The witnesses were: P. Michael Timpane, President, Teacher's College, Columbia University; Nathaniel M. Semple, Vice-President and Secretary, Research and Policy Committee, Committee for Economic Development; James S. Coleman, National Opinion Research center; Faustine C. Jones-Wilson, The Bureau of Educational Re-

search, School of Education, Howard University; Mary Hatwood Futrell, President, National Education Association; Eleanor Chelimsky, Director, Program Evaluation and Methodology Division, General Accounting Office; Alan C. Purves, Director of the Center for Writing and Literacy, State University of New York; Albert Shanker, President, American Federation of Teachers; Chester E. Finn, Jr., Assistant Secretary for the Office of Educational Research and Improvement, Department of Education; Charles Wallgren, Executive Vice-President, High/Scope Educational Research Foundation; James Hyman, Vice-President, Manpower Demonstration Program; Denis Doyle, Senior Research Fellow, The Hudson Institute; Christopher T. Cross, President of the University Research Corporation, and Chairman of the Laboratory Review Panel, OERI; John E. Hopkins, Executive Director, Research for Better Schools; Susan Fuhrman, Director, Center on State and Local Policy, Development and Leadership, Rutgers University; Gordon Ambach, Executive Director, Council of Chief State School Officers; Nancy Cole, President, American Educational Research Association; Judi Conrad, Assistant Director, ERIC Clearinghouse on Handicapped and Gifted Children and Chair, Council of ERIC Directors (COED); Michael Kaplan, Director, Basic Research, U.S. Army Institute; and Richard E. Rowberg, Chief, Science Policy Research Division, Congressional Research Service.

September 29, 1988

This hearing addressed the Department's proposed Center for Effective Schooling of Disadvantaged Students. The subcommittee was concerned about the hasty manner in which the Center was conceived, the grant award process, and the lack of support and input of researchers most familiar with the problems of the educationally disadvantaged.

The witnesses were: Eric Cooper, Vice President, in-service training and communications, Simon and Schuster School Group; Willis Hawley, Chairperson, American Educational Research Association, Vanderbilt University; Dale Mann, Professor and Senior Research Associate, Center for Education and the Economy, Teachers College, Columbia University; B.D. Mayberry, Acting Director, Carver Research Foundation, Tuskegee University; Charles Moody, Vice Provost for Minority Affairs, University of Michigan, Ann Arbor; Linda Roberts, Project Director, Office of Technology Assessment, U.S. Congress; Harriet Doss Willis, Director, Southwest Center for Educational Equity, Southwest Regional Laboratory.

March 9, 1989

The focus of this oversight hearing was to examine the deteriorating situation in many inner-city schools and how education research could be effectively applied to significantly improve them. The subcommittee was also concerned with OERI's inability to utilize its impressive infrastructure—the centers, labs, research information clearinghouses, and the highly successful National Diffusion Network—to provide specific help in changing and improving the educational opportunities for the disadvantaged.

The witnesses included: Ruth Allen, Director of New York City Programs, Cornell Cooperative Extension; Don Davies, President,

Institute for Responsive Education; Patricia Edwards, Center for the Study of Reading; Joyce Epstein, Center for Research on Elementary and Middle Schools, Johns Hopkins University; John Murphy, Superintendent, Prince Georges County Schools; Jon Wagner, Director, Cooperative Extension Program, University of California at Davis; Lisa Walker, Director of Policy Resources, Institute for Educational Leadership; Lois Wille, Editorial Page Editor, Chicago Tribune.

September 14, 1989

This hearing was called as part of a series to discuss the mission of OERI in light of the continuing crisis in our Nation to deliver on the promise of equal education opportunity.

Testimony was offered by: Robert S. Dentler, Professor of Sociology, University of Massachusetts at Boston; Christopher Edley, Jr., Esquire, Professor of Law, Harvard University; Paul T. Hill, Coauthor, "Educational Progress: Cities Mobilize to Improve Their Schools"; Gerald Jaynes, Study Director, "A Common Destiny; Blacks and American Society"; Lee Etta Powell, Superintendent of Schools, Cincinnati, Ohio; Wornie Reed, Director, Trotter Institute of Black Culture, University of Massachusetts at Boston.

October 26, 1989

This hearing focused on the procedures for funding the 12 proposed National Research Centers and to determine whether OERI'S priorities and guidelines regarding them were adequate, given the Nation's urgent educational problems. Additionally, the subcommittee was deeply disturbed by apparent partisan interference in the funding process for the Centers.

Witnesses were as follows: James Keefe, Director, Government Relations, National Association of Secondary School Principals; Edward Keller, Executive Director, National Association of Elementary School Principals; Arnold Webb, Senior Research-Director, Cooperative School Improvement, Research for Better Schools (Testifying on behalf of the Council for Educational Development and Research; Ramon Santiago, Professor, Department of Linguistics, Georgetown University; Richard Wallace, Superintendent, Pittsburgh Public Schools; David Imig, Executive Director, American Association of Colleges for Teacher Education; Arthur E. Wise, Director, Center for the Study of Teaching, the Rand Corporation. Prepared statements were included from the following: The National School Boards Association; Daniele Ghiolfi Rodamar, Assistant Professor, Department of Language and Foreign Studies, American University.

September 27, 1990

The plight of the African-American male was addressed at this hearing. Three panels discussed myths that impede the educational progress of African-American males, identified exemplary models and approaches to education, and summarized new strategies for producing African-American teachers.

The witnesses were: Norma Ewing, Chairperson, Special Education Department, Southern Illinois University; Barbara Holmes, Director, Policy Studies, Education Commission of the States; Henry

Frierson, Office of Educational Development, University of North Carolina at Chapel Hill; William Oliver, Criminal Justice Program, University of Delaware; Larry Hawkins, Institute for Athletics and Education, University of Chicago; Shirley McBay, President, Quality Education for Minorities Network; Geneva Gay, School of Education, Purdue University; Warren Simmons, Director of Equity Assurance Programs, Prince Georges County Public Schools; Michael K. Grady, Research Associate, Prince Georges County Public Schools; W. Curtis Banks, Psychology Department, Howard University; Jomills Henry Braddock II, Director, Center for Research on Effective Schooling. Prepared statements were received from Steven Bossert, Dean, School of Education; Bruce Hare, Professor and Department Chair, African-American Studies and William Pollard, Dean, School of Social Work, Syracuse University.

March 20, 1991

This hearing was held to discuss the contribution of the private sector in improving educational equity and the role OERI might play in furthering the potential of private sector initiatives. The subcommittee explored the possibility of the involvement of the private sector in education policy-making and in setting priorities for educational research and development being a critical factor in improving our Nation's effectiveness in global economic competition.

The witnesses were: Mr. William Kohlberg, President, National Alliance of Business; Mr. William Lurie, President, The Business Roundtable; Mr. Nat Semple, Vice President and Secretary, Committee for Economic Development; Mr. G. Carl Ball, Chairman of the Board, George J. Ball, Inc.; Dr. Dale Mann, National Learning Foundation, Teachers College, Columbia University; Dr. Berl Hogins, Co-Founder and Sr. Vice President and Mr. John Kernan, CEO, Jostens Learning Corporation; Mr. William Clark, President and CEO, Optical Learning Systems.

April 23, 1991

Educational assessment was the topic of this hearing, focusing specifically on the impact of a national test on equal educational opportunity, educational standards and curricula, and student achievement. Testimony was heard on the potential consequences of the new assessment initiatives proposed by the Bush Administration in its education strategy "America 2000".

The witnesses included: Marc Tucker, President, National Center on Education and the Economy; Dr. Eva L. Baker, Co-Director, UCLA Center for Study of Evaluation and Testing; Dr. Monty Neill, Associate Director, Fair Test; Dr. Joan Baratz-Snowden, Vice-President, Assessments and Research, National Board for Professional Teaching Standards; Dr. George Madaus, Boisi Professor of Education and Public Policy and Director of the Center for the Study of Testing, Evaluation and Educational Policy, Boston College; Dr. Edward De Avila, President, Linguametrics; Donald Barfield, Far West Laboratory; Dr. Anita R. Lancaster, U.S. Department of Defense.

Written testimony was submitted by Dr. Jeannie Oakes, Professor of Education, UCLA and Dr. Linda F. Winfield, Principal Re-

search Scientist, The Johns Hopkins University Center for Research on Effective Schooling for Disadvantaged Students.

April 25, 1991

This hearing was convened to discuss (1) the President's America 2000 proposal and its impact on the conditions affecting the educationally disadvantaged and (2) the feasibility of establishing an Institute for the Education of At-Risk Students to focus on research needed to stem the present failures of educational institutions to address the needs of urban and rural communities.

Witnesses were: James Comer, Director, Yale Child Study Center, Yale University; Keith Geiger, President, National Educational Association; Edmund Gordon, Professor of Psychology and Afro-American Studies, Yale University; Linda Darling-Hammond, Professor and Co-Director NCREST, Teachers College, Columbia University; C. Todd Strohmenger, Director, Rural Small Schools Program, Appalachia Educational Laboratory; Laura I. Rendon, Associate Professor, Adult and Community College Education, North Carolina State University; Shirley M. McBay, President, Quality Education for Minorities Network; and Ruby Thompson, President, Clark Atlanta University.

May 8, 1991

This hearing was convened to discuss the cancellation of two OERI-administered grant competitions (without prior notice to, or consultation with, Congress) and OERI's failure to provide details regarding the use of the $10 million in discretionary funds available as a result of these cancellations.

Witnesses were: Bruno Manno, Acting Assistant Secretary, Office of Educational Research and Improvement, U.S. Department of Education, accompanied by Carol Cichowski, Director of the Division of Special Education, Rehabilitation, and Research Analysis, Office of Planning, Budget, and Evaluation.

September 25, 1991

This hearing focused on widespread disparity in the quality of education among interstate and intrastate public school districts and the impact of inequitable systems (finance, services, physical facilities) on at-risk students.

Witness: Jonathan Kozol, author of "Death at an Early Age" and "Savage Inequalities."

March 17 and 18, 1992

The purpose of these hearings was to receive comment from the Administration, as well as the education research, development, and dissemination community concerning the reauthorization proposals contained in H.R. 4014. Particular attention was paid to the size, composition, and role of the proposed Educational Research Policy and Priorities Board. Also discussed was the need for a much greater investment in OERI's dissemination system, with the possible development of an electronic network. In addition, the General Accounting Office (GAO) reported on its findings and recommendations concerning the Department of Education's Research Library.

The witnesses were: Dr. Diane Ravitch, Assistant Secretary for the Office of Educational Research and Improvement; Dr. Arthur E. Wise, President of the National Council for Accreditation of Teacher Education; Dr. Roberts L. Linn, Professor, University of Colorado and Co-Director of the National Center for Research on Evaluation, Standards and Student Testing (CRESST); Preston Kronkosky, Executive Director Southwest Regional Laboratory on behalf of the Council for Educational Development and Research (CEDAR); Dr. Ann Lieberman, President of the American Educational Research Association (AERA); Dr. Thomas Schultz, Director of Early Childhood Services, National State Boards of Education (NASBE); Edward P. Keller, Deputy Executive Director, National Association of Elementary School Principals; Dr. Wornie L. Reed, Director Urban Child Research Center, Cleveland State University; Kenneth P. Komoksi Executive Director, Educational Products Information Exchange Institute (EPIE); Dr. Michael Webb, Director of Education, National Urban League; Dr. Michael B. Eisenberg, Director, ERIC Clearinghouse on Information Resources and Chairperson of the ERIC Executive Committee; Dr. Linda Morra, Director, Education and Employment Issues, Human Resources Division, General Accounting Office (GAO); Dr. Stanley Zenor, Executive Director, Association for Educational Communications and Technology.

The National Academy of Sciences report

In 1990, the Department of Education commissioned the National Academy of Sciences to undertake a study to evaluate the Federal education research and development effort and to make recommendations about how it could be restructured to better contribute to improving educational practice. The Academy released is study, "Research and Education Reform; Roles for the Office of Educational Research and Improvement," in April 1992.

The Academy's report has been very useful to the committee in its work on the reauthorization of OERI. H.R. 4014 incorporates many of the recommendations made by Academy, including:

A simplified mission statement for OERI;

Statutory qualifications for the position of the Assistant Secretary for OERI;

An independent policy-making board for OERI which includes education researchers, teachers, parents, school administrators, employers, and policy-makers;

An open and broadly-participatory agenda-setting process for OERI;

A biennial report evaluating the accomplishments and contributions made by educational research and development;

Realigning OERI according to a programmatic "institute" or "directorate" structure;

Expanded support for field-initiated research;

A dissertation grants program to support research in education by scholars in other disciplines;

A fellowship program to support graduate study in education research by minorities;

Independent authority for OERI to produce and release reports and studies without further approval or amendment by the Department's Office of Public Affairs;

Longer and larger contracts for research and development centers to assure that they are able to conduct a full and sustained program of research;

Support for electronic networking and resource-sharing by schools and educators; and

Greater overall funding for educational research and development.

COMMITTEE ACTION

On April 2, 1992, the Subcommittee on Select Education considered the bill H.R. 4014. After adopting an amendment in the nature of a substitute offered by Mr. Owens of New York, the subcommittee approved the bill with one amendment by unanimous voice vote.

On May 20, 1992, the full committee met in open legislative session to consider H.R. 4014. The committee ordered the bill favorably reported, with an amendment in the nature of a substitute, by voice vote, a quorum being present.

EXPLANATION OF THE BILL AND COMMITTEE VIEWS

TITLE I—GENERAL PROVISIONS

Mission

H.R. 4014 revises and simplifies the statutory mission of OERI to conform with recommendations made by the National Academy of Sciences in its "Research" report. The Academy noted that the long list of responsibilities specified in the current mission statement tended to drive the agency "to try to be everything to everybody" and to "spread its resources so thin that there is little chance of fulfilling the responsibilities well". The new mission statement also emphasizes that OERI must work closely with researchers, teachers, policy-makers, parents and other stakeholders to accomplish its mission, something that the Academy noted the agency had often failed to do so fully as it should.

Priorities in research and development

OERI is presently organized according to how research is conducted, and not by the topics being studied. Different administrative units, for example, manage the field-initiated research program and the centers program. This structure has contributed to overall incoherence, fragmentation, and instability which has plagued the agency. New topics, ideas and points of emphasis drift in and out with changes in top personnel. There is no enduring, permanent focus to drive the agency's work. Dr. Arthur Wise, testifying before the Subcommittee on Select Education, noted that the current structure of OERI "does not create a compelling set of targets for research; as a result, the enterprise lacks accountability."

For this reason, H.R. 4014 adopts the recommendation made by Dr. Wise, the National Academy of Sciences, and others that OERI

be organized programmatically instead of functionally, focusing its activities on five enduring priority areas:

The Education of At-Risk Students;
Educational Governance, Finance, and Management;
Early Childhood Development and Education;
Student Achievement;
Postsecondary Education, Libraries, and Lifelong Learning.

Research institutes are created to carry out comprehensive research and development activities in these priority subject areas. These activities include university-based centers, field-initiated research, and special studies.

Appointment of employees

The bill retains the existing law provision which authorizes the Secretary to appoint employees with scientific or technical expertise, without regard to the provisions of Title V of the U.S. Code, governing civil service appointments, provided that such employees comprise no more than 20 percent of the total number of OERI's employees.

The legislation revises this authority, however, to assure that OERI does not utilize this provision to avoid promoting qualified OERI staff to these senior level positions or to pad OERI's employment rolls with essentially handpicked political appointments, H.R. 4014 requires that all vacancies be publicly announced and that all qualified individuals be permitted to apply and compete for these positions.

The legislation also stipulates that this authority may only be used when it is necessary to provide OERI with scientific or technical expertise which is not otherwise available among current employees and could not be obtained through the competitive service. The committee emphasizes that political acumen is neither technical nor scientific expertise.

While this excepted hiring authority can be necessary and useful at times, the committee believes that it has been overused in the past. Much greater attention and energy must be directed toward recruiting and retaining a highly-qualified team of permanent employees. As the National Academy of Sciences noted in its "Research" report, "A cadre of professionals whose qualifications are known and respected is essential to develop a partnership between the agency and the field." In order to recruit and keep this kind of core staff, OERI will, as the Academy noted, have to provide more professional development activities and greater opportunities for advancement. Agency morale has been harmed by consistently passing over many loyal and excellent employees for top positions. Special attention should also be given to the correcting the dearth of women and minorities in top-level management positions in the agency.

Annual report

H.R. 4014 requires the Secretary, acting through the Assistant Secretary, to report annually to the President and the Congress on the activities of OERI during each fiscal year. This report should discuss the work of each of the research institutes and the activities carried out through the National Education Dissemination

System and include information concerning the personnel of the Office and any technical assistance provided to the New American Schools Development Corporation (NASDC).

Authority to publish

Section 405(d) provides the Assistant Secretary with the independent authority to report and publish such information as may be of value in carrying out the purposes of the sections 405 through 405D without further clearance or approval by the Secretary or any other office of the Department.

Currently, all OERI reports are subjected to a two-tiered clearance and review process. They must first be approved by each office of the Department which has jurisdiction over the matter to which the report pertains. They must then be approved by the Department's Office of Public Affairs, which evaluates their "consistency with ED's mission and goals" and "conformity with legislation, regulations, and policy." In its Research report, the National Academy of Sciences noted that there had been many allegations that this review process has been used to make ideologically-motivated modifications in OERI reports and concluded that it was "inappropriate for a research agency, whose work should be characterized by the highest standards of objectivity." The committee concurs with this recommendation and believes that providing OERI with independent reporting authority is central to assuring its integrity as a research agency. The results and findings of OERI research must be reported without regard for their possible political implications and the extent to which they do or do not support positions taken by the President.

Coordination

The legislation invests the Assistant Secretary with comprehensive and ongoing responsibilities to promote and facilitate greater coordination of educational research, development, and dissemination activities within OERI, within the Department of Education, and within the Federal Government as a whole.

The National Academy of Sciences noted in its Research report that there has been a long-standing lack of cooperation and coordination among entities assisted by OERI. "Although the centers do research that could be of use in the laboratories' development and technical assistance work, the laboratories seldom work with the centers. Conversely, although the laboratories have extensive contacts with State departments of education and local school districts, the centers seldom seek their advice about the needs of those organizations." OERI tends to administer each of its programs as if it were isolated and completely self-contained, not as one component of a greater, interactive and interconnected system.

Similar problems of poor or nonexistent coordination and cooperation exists between OERI and the other offices and programs of the Department of Education. The Department of Education's Inspector General has identified 43 different Department programs which support technical assistance, perform training and research and disseminate information, including the Chapter 1 Technical Assistance Centers, the Education Evaluation Bilingual Assistance Centers, and the Regional Drug-Free Schools Centers. The activi-

ties of these programs are seldom connected or coordinated with each other in a meaningful way.

Nor is OERI's work coordinated with education-related research and development activities supported by other Federal agencies. The National Academy of Sciences found that in 1991 an estimated $171 million was expended to support educational research and development by other agencies, including the National Science Foundation and the Departments of Defense and Health and Human Services. Yet OERI, as the Academy noted, not only makes little effort to coordinate with these agencies, it does not even know what kind of research projects and activities they are supporting.

This failure to promote and enable greater coordination in educational research must concern us not only because it may result in unnecessary duplication of effort and a waste of scarce resources. Of equal concern is that it weakens the enterprise by scattering the knowledge base and making it difficult for each component of the Federal education research infrastructure to learn from and build upon the successes and failures of others.

To address these problems, H.R. 4014 directs the Assistant Secretary to take charge of a comprehensive and sustained effort to promote greater coordination in research, development and dissemination activities funded by the Federal Government. The committee believes that what is required is an initiative comparable to the ongoing efforts of the Federal Coordinating Council for Science, Engineering and Technology (FCCSET) to coordinate the Federal investment in science education.

Assistant Secretary

Section 102 of the bill establishes statutory qualifications for the position of Assistant Secretary for the Office of Educational Research and Improvement which were recommended by the National Academy of Sciences in its "Research" report: experience as an education researcher, proven management ability, and knowledge of the system of education in the United States. The Academy noted that the failure of many past Assistant Secretaries for OERI to possess all three of these essential qualifications for the job has contributed to the exceedingly high turnover rate in the position.

The legislation also requires the President to consult with the National Educational Research Policy and Priorities Board in the selection of candidates for the position in much the same manner as the National Science Board (NSB) is consulted in the selection of the Director of the National Science Foundation. In every instance but one, all of the NSB's recommendations for the position of the Director and other Presidentially-appointed positions at NSF have been followed. The result has been a consistently high level of excellence in top leadership positions at the NSF.

TITLE II—NATIONAL EDUCATION RESEARCH POLICY AND PRIORITIES BOARD

Introduction

A central premise driving the reauthorization is that Federal education research and development has failed to achieve the same status, public support, and degree of effectiveness as Federal re-

search in health, aerospace, physics and other sciences because it utilizes a very different, and dysfunctional, governance framework than these other fields of research. Federal research in education stands alone among all other kinds of Federally-funded scientific research in the extent to which it concentrates decision-making authority in the hands of a few political appointees and provides for such scant participation in those decisions by members of the research community and other stakeholders. However politically useful and administratively convenient this arrangement may be for the Department of Education, it clearly has not been productive of the high-quality research this Nation needs as it seeks to improve education.

The administration of other kinds of scientific research both within and outside government relies heavily upon collegial decision-making processes which provide for maximum participation of individuals with expertise or an interest in the issues under consideration. Though sometimes unwieldy or complicated to carry out, this 300-year tradition of collegial decision-making, diffuse authority, and peer review has prevailed because scientists have found time and time again that it works: the soundest and best judgements have been those which represent the consensus or dominant opinion among multiple informed points of view.

This tradition is embodied in the organizational structures of the two largest Federal research agencies: the National Science Foundation and the National Institutes of Health.

The National Science Foundation (NSF) is governed by the 24-member, Presidentially-appointed National Science Board (NSB) which consists of leading scientists and other experts in the disciplines supported by the NSF. The NSB has exclusive authority to prescribe policy for the NSF. These policies may be originated by the Board itself or initiated by the NSF Director and other NSF personnel and submitted to the Board for its approval. The NSB prepares the original budget for the NSF which is submitted to OMB for its approval; subsequent negotiations with OMB and the Congress over the budget, however, are chiefly conducted by the Director, working within general parameters and priorities that have been set down by the Board. The Board also plays a significant role in approving individual grant and fellowship awards. Board approval is currently required for any grant which represents or entails a change in NSF policy and all other proposed grants which exceed $1,500,000. All grant proposals, including those submitted to the Board for approval, are first evaluated by peer reviewers with appropriate knowledge of the science involved. The only area in which the Board has exercised little authority or influence has been the organizational structure of the NSF, which has largely been determined by the Director and the Congress with only minimal participation by the NSB.

Although somewhat differently configured than NSF, the governance structure of the National Institutes of Health also emphasizes the importance of collegial decision-making. Each Institute has an 18-member advisory council appointed by the Secretary of HHS in consultation with the Institute Director. Two-thirds of the members of each council are scientists with expertise in disciplines relevant to the purposes of the Institute and the remainder are policy-

makers, economists, and other members of the public who have an interest in the purposes of the Institute. Each of these councils make recommendations to the Secretary of HHS and the Director of the Institute about the Institute policies and the kinds of research which it supports; while these policy recommendations are not binding upon the Secretary or the Director, traditionally they have carried great weight. Each council must also review and approve every proposed grant which exceeds $50,000. As with NSF, all grant proposals are first evaluated by peer reviewers with appropriate expertise.

The structure of the Office of Educational research and Improvement is a dramatic contrast to that of NSF and NIH. Decision-making authority is vested exclusively with the Assistant Secretary and the Secretary and the only formal mechanism for participation by the research community and other stakeholders in these decisions is a general, biennial notice in the Federal register which solicits public comment about OERI's research priorities. While there is a Presidentially-appointed advisory council for OERI, its membership is not considered representative of the research community or particularly well-qualified and it is universally regarded as irrelevant both within and outside OERI. Between 1972 and 1986, this council did have policy-making authority but it never attained the same degree of influence as either the NSB or even the NIH advisory councils because its powers were vague and its membership was not fully representative of the research community and other stakeholders in education research and development. In 1986, this board was finally stripped of its policy-making authority because the quality of its membership had become so poor—consisting generally of persons who received their appointment as a political favor and who were neither knowledgeable nor even interested in education research—that it was widely seen as an embarrassment.

With the evidence of its ineffectiveness now so abundant, this authorization, centralized decision-making structure must now be changed. The consensus on this point could not be more clear. For more than 30 years—since at least 1958—every major study of the Federal educational research effort has consistently recommended that it be restructured along the lines of the National Science Foundation and the National Institutes of Health to provide for more collegial decision-making about research priorities and the allocation of resources. These studies, by such authorities as the National Academy of Sciences and the Rand Corporation, have concluded that this kind of restructuring is essential to provide for a more stable and coherent research agenda, to insulate research from partisan influences, and to assure that education research meets the same standards of excellence as all other types research supported by the Federal Government.

The most recent support for this idea has come from two complementary studies of Federal education research completed by the National Academy of Education and the National Academy of Sciences. "Research and the Renewal of Education," the 1991 National Academy of Education study which was co-directed by Dianne Ravitch, the current Assistant Secretary for OERI, noted that "patterns of support for research on education are episodic, buffeted by changing demands, vacillating leadership, unstable commitments,

and institutional pressure" and went on to recommend: "To avoid the danger of politicization at the Federal level, a model similar to that of the National Science Foundation with a distinguished governing board is worth exploring for research on education." The 1992 National Academy of Sciences "Research" report, recommended that OERI be governed by a policy-making board whose membership would consist of at least one-third education researchers and a "balanced representation of practitioners, parents, employers, policy-makers, and others who have made noteworthy contributions to excellence in education".

H.R. 4014 heeds the consensus call for more collegial decision-making and public participation at OERI by creating a 20-member Educational Research Policy and Priorities Board consisting of both education researchers and representatives of teachers, parents, school administrators, and other stakeholders in the Nation's educational system to guide OERI's activities. This board would have some policy-making authority, but overall its authority would be substantially less than that of the National Science Board at NSF.

Research priorities plan

The Educational Research Policy and Priority Board has three essential functions in H.R. 4014. First, it would be responsible for developing a comprehensive Research Priorities Plan to end the incoherent, "flavor of the month" approach to research which has limited OERI's effectiveness for so long. This would be a long-term agenda for OERI's research and development efforts, reflecting a consensus of both educators and researchers, which would set out priorities and objectives for OERI, including areas which merit further inquiry and the most effective means of addressing them. This agenda should not simply be an aggregation of the personal preferences and ideas of the members of the Board. Rather, H.R. 4014 requires the Board to develop the plan through a broadly participatory process which includes regional forums and other mechanisms for enabling the diverse constituencies of education research and development to express and exchange their points of view.

The purpose of the Research Priorities Plan is to provide a broad, long-term agenda to drive decision-making by the Congress and the Administration. The board would not have the authority to compel the Secretary—or the Congress—to implement each and every detail of the Research Priorities Plan. But the Board would be able to assure that the broad parameters and priorities set out in the plan are followed through its review of large grant and contract solicitations.

Standards for conduct and evaluation of research

A second critical function of the Board is to establish a broad set of binding quality standards to govern the conduct of research carried out by OERI. These standards would address procedural issues only, including such matters as the process by which applications for assistance are to be reviewed and how and when funded activities are to be evaluated.

The committee is very concerned that nearly every procedure and administrative policy related to the conduct and evaluation of research funded by OERI is determined on an ad hoc basis, with

minimal participation or input provided by the research community itself. Here again, OERI is unique among Federal research agencies. NSF, NIH, and other agencies which fund scientific research has issued detailed regulations and internal policy manuals which address these procedural issues. This haphazard, improvisational approach to research is dangerous because it creates opportunities for political mischief and manipulation and, even if these opportunities are never actually exploited, contributes to the overall impression that OERI's activities are highly politicized. Beyond this, legitimate questions have been raised about the quality and appropriateness of some of the procedures OERI has utilized over the years to evaluate and conduct research. Most recently, in its "Research" report, the National Academy of Sciences criticized OERI's inclusion on peer review panels of individuals who did not have the appropriate expertise to evaluate the technical merit of research proposals.

H.R. 4014 seeks to address this problem by giving the Board responsibility to develop comprehensive, permanent standards to govern the conduct and evaluation of all of the activities carried out by OERI. These standards would include requirements that peer review be utilized to evaluate all applications for assistance and all funded activities and specify the composition of peer review panels, the manner in which their members are selected, and the procedures they will follow in conducting their work. As with the Research Priorities Plan, the committee expects that the Board will develop these standards through a broadly participatory process and actively solicit and consider the views of the research community and other stakeholders in the system. The Board should also carefully review comparable standards which have been developed by the National Institutes of Health and the National Science Foundation.

The development of these standards would be staggered over a period of three years. H.R. 4014 requires that the Board publish each set of proposed standards and solicit and public comment concerning them for a period of 120 days. Following this, the standards would be promulgated by the Secretary as formal regulations.

Review of major contract and grant solicitations

A final key function of the Board is to review proposed OERI grant or contract solicitations which exceed $500,000 in any single fiscal year or a total of $1,000,000 and evaluate their consistency with the Board's Research Priorities Plan. Prior to issuing an RFP or soliciting contract bids, the Assistant Secretary would be required to submit the proposal to the Board for review along with an explanation of how the proposal relates to the Board's Research Priorities Plan. The Board would have to determine that the proposal was consistent with the Research Priorities Plan before the Assistant Secretary could proceed. To address Administration concerns that this requirement might cause excessive delays in the procurement and grant-making process, H.R. 4014 limits the amount of time permitted for Board review; if the Board failed to act upon a proposal at its next meeting after it has been transmitted to the Board, the Assistant Secretary could proceed without Board approval.

The Administration has complained that this review requirement is excessive and needlessly intrudes on the Assistant Secretary's discretion. Yet this authority is neither onerous nor unique when compared with the grant-making procedures of the two other major Federal agencies engaged in research and development; both the National Institutes of Health and the National Science Foundation use exactly the same kind of multi-leveled peer review process to assure the integrity of the research enterprise. Interestingly, the President's highly-touted New American Schools Development Corporation selected its "break-the-mold" school designs in a similar fashion; after peer review panels had helped to narrow the pool of competitive designs, the NASDC Board made the final selection of the winning designs. The committee believes that given OERI's long history of excessive politicization and less than impressive results, the Congress should be no less rigorous when it comes to Federal support for education research than it is with other kinds of scientific research.

It should also be emphasized that this requirement for Board review will only be disruptive if the Secretary and Assistant Secretary pursue a confrontational approach to dealing with the Board and seek to undertake activities which are widely at odds with the Research Priorities Plan. The National Science Foundation's experience with multi-tiered review is instructive in this regard. Of the 860 proposals the National Science Board reviewed between 1972 and 1979, for example, all but one were approved by the Board; another forty-four were approved with some revision. Moreover, the NSB's involvement in reviewing large grants is widely considered to be useful practice which has improved the quality of decision-making at NSF and not some kind of dilatory intrusion. Dr. Philip Handler, former Chairman of the NSB and the National Academy of Sciences, has said that grants which were subject to Board review were generally better prepared and justified than those which were not.

Other responsibilities of the board

The Educational Research Policy and Priorities Board is also responsible for recommending candidates for the position of Assistant Secretary to the President and candidates for the position of director of each of the research institutes to the Secretary of Education. The National Science Board currently has comparable authority, making recommendations to the President about candidates for the positions of the Director, Deputy Director and each of the Assistant Directors of the National Science Foundation. H.R. 4014 also vests the Board with more general responsibility to oversee the management and operation of OERI and make such recommendations as it considers appropriate to the Congress and the Secretary and Assistant Secretary.

Administration objections to the board

The Administration has reacted with hysteria to the idea of in any way loosening the iron grip held over OERI by the Secretary and Assistant Secretary to provide for greater participation in its decision-making by the research community and other stakeholders. Indeed, the Administrator's answer to the grievous problems

that afflict OERI is to consolidate the authority of the Secretary and Assistant Secretary still further by jettisoning even the feeble advisory council that is now in place.

To some extent, the Administration's objections are understandable. Since education research is one of the few areas of the Department's budget over which the Secretary can exercise almost complete discretion, it is not surprising that any Secretary would be reluctant to make the kind of changes called for by H.R. 4014. But the chief concern of the Congress and the Administration must be to provide for the kind of high-quality education research the Nation needs to improve our schools—not providing for the personal or political gratification of a Secretary or Assistant Secretary.

During the initial Congressional consideration of legislation to establish the National Science Foundation, the Truman Administration, too, strenuously objected to the creation of a board with policy-making authority at NSF and insisted that the NSB be made an advisory council only. In 1947, in fact, President Truman vetoed the first NSF bill which was passed by the Congress over just this issue. Ultimately, however, some three years later, reason prevailed and President Truman accepted the concept of a policy-making board and signed the National Science Foundation Authorization Act into law.

No one today disputes the wisdom of the governance structure devised for the National Science Foundation. The outstanding performance of NSF is universally acknowledged. As an editorial in Science magazine noted several years ago:

> The record shows that NSF is one of the Nation's most effective government agencies, untouched by major fiscal scandals, singularly free from political uses, and highly regarded by the vast majority of the scientists, engineers, and educators who have had to deal with it. Its awards are generally perceived to be honestly and wisely made.

Could anything even remotely as positive as this statement be made today about OERI? Sadly, the idea is inconceivable. Yet, it is the committee's hope that under the governance structure set down in H.R. 4014, OERI can and will begin to function in a manner which will inspire the same degree of confidence and support of both those who produce education research and those who seek to use it to improve the quality of American education. Just as it took Congress three full years to convince the Truman Administration of the value of the governance structure it created for the National Science Foundation, this committee, too, is prepared to stand fast. The Nation cannot afford another business-as-usual reauthorization. The time for change is now.

Appointment of the board

The Educational Research Policy and Priorities Board created in H.R. 4014 can only succeed if its membership is both well-qualified and broadly representative of both the producers and consumers of education research and development.

Unfortunately, the history of policy making and advisory councils at OERI and NIE over the past two decades is not very encouraging in this regard. At no time has there been a council which

met this essential dual test of appropriate expertise and representativeness. Little or no care has been taken by the President or the Secretary of both political parties to assure that such councils included representatives of the research community and the diverse constituencies which have a stake in education research and development. Incredibly, for example, not one teacher and very few education researchers have been appointed to such councils. During the 1980's, there apparently were no meaningful qualifications for appointment to such councils; the only criteria for appointment was neither knowledge nor interest in education research, but political influence. The Senate, charged with responsibility to act as "gate-keeper" and a check on the President's appointment authority, routinely confirmed each and every Presidential nominee, no matter how egregiously inappropriate or unqualified they might be. Clearly, then, if the membership of the Educational Research Policy and Priorities Board is to be both qualified and representative, a new approach to its appointment must be tried.

H.R. 4014 calls for the 20 members of the Board to be appointed by the Secretary within 10 separate categories (i. e., education researchers, teachers, parents) from among nominations made by professional associations and other national organizations which represent such individuals. For example, the parent representative on the Board would be selected from among nominations made by the National PTA, the Matinal Coalition of Title I/Chapter 1 Parents, and the National Committee for Citizens in Education. In this way, all of the diverse stakeholders for education research will be fully involved and represented on the Board.

At the same time, H.R. 4014 still provides the Secretary with considerable discretion in exercising his or her appointment authority in two basic ways. First, the bill requires each organization to nominate at least 3 individuals for each position on the Board for which it has responsibility for making nominations. Thus, for example, in appointing the teacher representatives on the Board, the Secretary will be selecting four individuals from among forty-eight nominations. Similarly, the Secretary will select seven education researchers from among twenty-one nominations made by the National Academy of Sciences. Secondly, if the Secretary determines that none of the individuals nominated by an organization meet the qualifications for Board membership, H.R. 4014 gives the Secretary the authority to reject all of these nominations and request additional ones from the organization.

This framework for the appointment of the Board has a number of precedents in previous law. These include the procedures used to appoint the board of National Railroad Passenger Corporation, which requires the President to make appointments from among nominations made by the Railway Labor Executives Association, Governors, and others, and the appointment of the Comptroller General, who is appointed by the President from among three nominations made by the Speaker of the House, the President pro tempore of the Senate, the majority and minority leaders of the House, and others. Other examples could be cited as well.

This framework also approximates the manner in which the National Science Board is selected. Currently, the National Science Board itself takes charge of identifying potential candidates for va-

cancies in its membership, actively soliciting nominations from over 31 scientific, engineering, and educational associations and societies. The Board then reviews the nominations it receives and identifies a list of 16 names—2 for each vacancy—which it submits to the President. Traditionally, the President selects his ultimate nominees from this list; only 6 of the 110 members of the National Science Board have not been candidates who were initially identified and endorsed by the National Science Board. Political and partisan considerations have rarely, if ever, been a factor in the appointment process. The result has been a board membership that has consistently had impeccable qualifications and has been broadly representative of the many scientific disciplines supported by the NSF.

This approach is also consistent with the recommendations made by the National Academy of Sciences in its Research and Reform report. Specifically, NAS calls for the creation of a policy-making board consisting of education researchers and a "balanced representation of practitioners, parents, employers, policy makers, and others who have made noteworthy contributions to excellence in education" who should be selected on the basis of "advice from professional organizations of the groups to be represented on the board.". The NAS is silent in its report as to whether this advice would necessarily be binding on the Administration, as set out in H.R. 4014, but they clearly anticipate that nominations from these professional organizations would form the basis for the appointments made to the Board. Given the past history of appointments to the NIE and OERI councils, however, the only way to assure that this happens is through the framework the committee has set out in H.R. 4014. Left solely to its own devices, the Administration—of both parties—has neither sought our nor followed the advice of these organizations.

Administration objections to the appointment process

The Administration has attacked this framework for appointing the board just as harshly as it has attacked the concept of creating board at OERI which would have any policy-making authority. In particular, the Administration has attacked the organizations given nominating responsibility in H.R. 4010—everone from the National Academy of Sciences to the National Governors Association to the National Education Association—as "special interests" who would nominate individuals who would, to quote from a letter sent by the Secretary to members of the Committee, be unable to "make decisions in a neutral, impartial way". This is a spurious argument for several reasons.

It is, first, and foremost, an inaccurate, an unfair, characterization of the organizations given nominating responsibility in H.R. 4014. Collectively, these organizations represent more than 9 million Americans who are interested in and active in education. Many of these associations also invest considerable resources of their own in education research, dissemination, and professional development activities. That the Department of Education regards them as "special interests" to be shunned rather than as allies in the quest for educational excellence indicates just how cramped

and inadequate this "Education President's" vision of educational reform truly is.

The Administration's "special interests" argument is also disingenuous. If the President truly believes that the only people who should be involved in decision-making in the Department of Education are individuals who are "neutral and impartial", that belief has not been reflected in this actions. This President, and previous ones, have traditionally appointed men and women to the Department who represent a definite point of view and ideology—his own. But when it comes to education research, it is imperative that decision-making reflect a diversity of views—and not just on—if end product is to useful and credible.

These complaints also seem to miss the point of why establishing a broadly representative board is so important. The Administration has argued that, for example, there should not be parent or teacher representatives on the Board because they will argue for research priorities which are important to parents or teachers. They will, in other words, be biased in favor of the needs of parents and teachers and view issues from this perspective. Yet, that is precisely why the committee believes these types of individuals must be on the Board—to represent the particular perspectives of critical constituencies in education. it is only by bringing together such a diversity views that a meaningful consensus on education research priorities can be forged.

Another criticism that has been made by the Administration is that the members of the board will be beholden to the organizations which nominated them and will focus primarily upon trying to secure OERI grants for these organizations. This charge ignores protections against conflict-of-interest that are already contained in H.R. 40414 and misrepresents the kind of authority the Board is given in the bill. The members of the Board would be subject to the same conflict-of-interest prohibitions as the members of National Science Foundation and any other Federal policy-making or advisory board. Moreover, the bill also prohibits the nominating organizations from nominating any individuals who are officers or employees of that organization. Further, and most importantly, the Board's authority is limited to setting research priorities—it does not have the authority to award funds to carry out those priorities. It would simply not be possible for the Board to steer any OERI funds to a particular organization or individual.

Fundamentally, the Administration doe not like the manner in which the Board would be appointed under H.R. 4014 for the same reason it does not like the board itself: it does not want to share power. If it cannot strike the Board from H.R. 4014 altogether, or substantially diminish its authority, it can at least try to ensure that the Board can be stacked with individuals who will do the bidding of the Secretary and the Assistant Secretary. Yet, this centralized, command and control governance model is precisely how Federal education research has been carried out for more than twenty years. The resounding failure of this approach is self-evident. In 1992, it is time to try something new.

TITLE III—NATIONAL RESEARCH INSTITUTES

H.R. 4014 restructures the research and development activities of the Office into research institutes focused upon the five priority areas set forth in Title I: the education of at-risk students; educational governance, finance, and management; early childhood development and education; student achievement; postsecondary education, libraries, and lifelong learning.

Each of these institutes would undertake a balanced, comprehensive research program directed within its priority area, supporting university-based research and development centers, field-initiated research, public-private partnerships, dissertation grants, special studies, and other activities. The Research Priorities Plan developed by the Board should play a significant role in outlining the kinds of activities and research topics each institute should include as part of its portfolio.

The formal establishment of these institutes is staggered over the life of the reauthorization, with the first, the Institute for the Education of At-Risk Students, beginning in FY 94. Immediately upon enactment of H.R. 4014, however, the Secretary would reorganize OERI into programmatic administrative units whose purposes are identical to those of each of the institutes. These units will engage in the planning and preparation necessary to establish the institutes.

The committee notes that there has been some discussion of whether these programmatic divisions should be called "institutes" (as in the National Institutes of Health) or "directorates", the term used by the National Science Foundation to describe its programmatic divisions. While some would argue that there are real differences in meaning between these two terms, particularly that a "directorate" requires fewer resources than an "institute", the committee believes that the difference is principally a semantic one. The term "institute" has been selected because its meaning is more readily and immediately understandable to the public and because it is consistent with the National Institute for Literacy the Congress created last year.

Directors

The bill directs the Secretary to appoint the Director for each of the institutes from among persons who have significant experience and expertise in the disciplines relevant to the purposes of the institute.

The Priorities Board is expected to make special efforts to identify qualified women and minorities for these positions in addition to giving consideration to nominations from professional associations and interested members of the public.

A successful appointee will be one who is not selected on the basis of party affiliation but rather on national reputation for superior scholarship, proven managerial skills, and a demonstrated commitment to the use of educational knowledge. The quality of the appointment will go far to determine the success of each of the institutes.

Research and development centers

H.R. 4014 provides for the continuation of university-based research and development centers as a significant part of OERI's research program and requires that at least 30% of the funds available to each institute be reserved for such centers. This is a floor and not a ceiling; the committee anticipates that each institute may need to expand considerably more than this to support centers.

Research and development centers are an essential means for conducting the kind of long-term, intensive and multidisciplinary research needed to improve the Nation's schools. While some have complained that the centers program consumes too large a share of OERI's resources, the committee believes that the problem is more that OERI has been severely and chronically underfunded in general, not that too much has set aside for the centers. An increase in funding is urgently required; cannibalizing the centers to pay for other kinds of research activities would be destructive and counterproductive.

H.R. 4014 does made several changes in the structure of the centers program to improve its performance. In recent years, the average center award has dropped to such low levels—$861,000 in FY 91—that it has threatened the integrity of the center concept; it is just not possible to conduct a full range of applied and basic research and development activities with the slim budgets some centers have been provided. This point was also emphasized by the National Academy of Sciences in Research and Reform. For this reason, the legislation mandates a minimum center award of $2 million annually to assure that each center has the "critical mass" necessary to function effectively.

The Academy also criticized the current 5-year competitive cycle for center awards as disruptive and urged that it be extended to 10 to 15 years or eliminated altogether. The committee believes that this criticism has some merit, but believes shorter-term competitive cycles can be useful in promoting high-quality performance. For this reason, H.R. 4014 extends the minimum duration of a center award from 5 to 6 years, but permits the Secretary to extend the duration of an award to as long as 10 years at his or her discretion.

The committee recommends that at least 50% of the resources of a particular center should be a single location to support a critical mass of research and development personnel who are primarily responsible for designing and executing the long-term, programmatic plan of the center. This nucleus may receive additional support for the core mission through a consortia arrangement with experts at one or more other locations.

The committee concurs with the Academy's recommendation that OERI should significantly expand its support of basic research and believes that this expanded level of support should be concentrated within the center program. As the Academy notes:

> In 1989, OERI spent only 5.5 percent of its R&D budget on basic research; in the same year, the Agricultural Research Service spent 46.6 percent on basic research, NIH spent 59.8 percent, the NSF spent 93.5 percent. Basic research explores the fundamentals of the studies phenom-

ena, generates new views of reality, and proposes new visions of the achievable.

Field-initiated studies

The bill requires that field-initiated studies be significantly expanded. To this end the legislation reserves 15% from the budget of each institute, beginning in October 1993 with the establishment of the National Institute on the Education of At-Risk Students.

Field-initiated research is a mechanism of choice for developing dependable knowledge that improves practice and informs policy. In most disciplines it supports development of young scholars which contributes to the infrastructure necessary for scientific endeavors. In most disciplines it generates the building blocks of knowledge that are used to develop new theories and practices.

According to the National Academy of Sciences, OERI invests much less of its R&D budget in field-initiated research than other Federal agencies with major research responsibilities. It funded only 12 new field-initiated proposals in each of the last 2 years. The lack of support for field-initiated research deprives the field of the ideas and efforts of many of the best and brightest researchers nationally. Those who are not on the winning team for a center have little opportunity of research support from OERI. The Academy concludes, and the committee agrees, that "without substantially enhanced programs of basic research, field-initiated research, and long-term sustained efforts, OERI will be a feeble partner in the Nation's quest for substantial educational reform."

Public-private partnerships

Legitimate criticisms have been raised about the lack of opportunities for the for-profit sector to become involved in OERI's research and development program. The committee agrees that the talents and energies of the private sector should be more fully utilized; projects like IBM's Writing to Read program and Apple's Classrooms of Tomorrow have demonstrated the important contributions the private sector can make to improve education. For this reason, H.R. 4014 authorizes the award of grants to support public-private research partnerships between State or local education agencies and a private for-profit or non-profit entity. The Federal share would be limited to 50 per cent of the total cost of such projects.

Minority fellowships

H.R. 4014 authorizes each of the research institutes to award fellowships for graduate study in education research by qualified African-Americans, Hispanics, and other minorities. Such assistance was recommended by the National Academy of Sciences in its "Research" report and is necessary to begin to redress the great underrepresentation of minorities in the field of education research. At a time when the minority school population is burgeoning, the representation of minorities in education research has been declining. Between 1976 and 1986, the number of African-Americans awarded doctorate degrees in education declined by 39 percent. Today, a total of just 10% of the membership of the American Educational

Research Association are minorities; only 4% are African-American and only 3% are Hispanic.

The present dearth of minorities in education research must be addressed because it unduly limits the Nation's knowledge base as it seeks to improve education for minority children. By virtue of their ethnicity and life experiences, minority researchers bring a new, different perspective to their work, allowing them to view and understand issues and formulate research questions in ways that non-minority researchers cannot. Expanding the number of minorities in education research will greatly improve our understanding of how best to improve the quality of education for both minority and non-minority children.

Historically underutilized researchers and institutions

H.R 4014 requires the Assistant Secretary to establish and maintain targeted initiatives to increase participation in OERI's activities by groups of researchers and institutions which have been historically underutilized in Federal educational research. This includes African-American, Hispanic and other minority researchers, historically black colleges and universities, and higher educational institutions located in rural areas. Such initiatives are necessary to assure that research funds are awarded fairly and equitably and to prevent the development of an "old boys' network" which monopolizes OERI resources. Each of these groups and sets of institutions also bring a unique perspective and background to their work which can strengthen and deepen our knowledge about education.

Both the National Science Foundation and the National Institutes of Health administer programs and initiatives upon which OERI should model its implementation of this provision. Through its Experimental Program to Stimulate Competitive Research, NSF awarded planning grants to state-wide consortia of scientists in those State which ranked lowest in R & D funding to help them improve their ability to compete for research funding in the future. Similar kinds of support have been provided by both NSF and NIH to enhance the competitiveness and capabilities of minority and women researchers and minority-serving institutions. Both agencies have created separate programs to support research by young or new investigators. NSF also considers geographic balance and minority representation in awarding some research grants.

The National Institute for the Education of At-Risk Students

H.R. 4014 establishes an Institute for the Education of At-Risk Students, the first of five research institutes, beginning in FY 94.

This institute will oversee and coordinate a systematic and sustained campaign to generate the knowledge needed to effectively educate at-risk students whose needs are not being met by our current system of education. Although the mission statement for the National Institute for Education and the Office of Educational Research and Improvement emphasizes that the promotion of educational equity is a central purpose for which these entities were established, the administrators of those entities have never followed through on the promise. Research focusing on the needs of at-risk students has only sporadically been a priority, and even then, has

only been undertaken on a small and limited scale. The Nation can no longer afford such neglect and inattention.

The Charles Steward Mott Foundation's study "America's Shame, America's Hope" succinctly summarized the problem our Nation faces:

> A crisis exists in the back rows of America's public school classrooms. * * * The crisis is the undereducation of a body of students presently constituting one in three in our classrooms, growing each year as a proportion of our educable young. Dominant in this body are the children of poverty-economically, culturally, racially, and ethnically disadvantaged. They have come to be called youth "at risk" because they are at risk of emerging from school unprepared for further education or the kind of work there is to do. Often they are ready only for lives of alienation and dependency.

Kenneth Clark has remarked that at-risk youth are perceived and treated by our society and system of education as if they were "expendable". That surely is a foolishly destructive illusion: if it were ever true, it is true no longer. The committee for Economic Development noted in "Children In Need" that:

> This Nation cannot continue to complete and prosper in the global arena when more than one-fifth of our children live in poverty and a third grow up in ignorance. And if the Nation cannot compete, it cannot lead. If we continue to squander the talents of millions of our children, America will become a Nation of limited human potential. It would be tragic if we allow this to happen. America must become a land of opportunity—for every child.

The Institute for the Education of At-Risk Students will provide the leadership and scholarship necessary to reform our system of education so that it fully develops and enhances the talents and energies of every child. It will carry out a comprehensive agenda of basic and applied research and development, drawing fully upon all available and viable approaches to generating useful knowledge, including university-based research and development centers, field-initiated research, dissertation grants, and public-private partnerships.

What is envisioned is an effort to improve education for at-risk students which is as fully comprehensive and intensive as the manner in which the medical profession responds to illness and disease. Just as the medical profession approaches an epidemic by simultaneously developing drugs, equipment, devices, and protocols, the Institute should seek to utilize and effectively integrate multiple approaches to improving the education of at-risk students.

To borrow the language of the medical profession, what educational protocol can be devised to address the short attention spans of some students which impede learning and contribute to discipline problems in the classroom? How can technology be used to more fully engage these children in learning? What are other practices and approaches that might be used?

What protocol can be developed to address the low self-esteem that saps the motivation to learn and succeed of so many at-risk children? How can our schools and classrooms be made more "student-centric" to increase the self-worth and eagerness to learn of children?

Studies show that by the fourth grade inner city male students begin to listen less to their teachers and more to their peer groups and by the time they reach the ninth grade they are listening only to their peer groups; from the fourth to the ninth grade the rate of school failure escalates rapidly. What are the protocols that may be devised to use peer group pressure to support education objectives?

For the period from kindergarten to the fourth grade, what systematic and intense combinations of curriculum and protocols are there which may enhance the probability of creating students who are educationally "fail-proof"? Such students would be so highly motivated and so intensely engaged that no pressures or obstacles could significantly and permanently interfere with their learning progress.

These are just a few of the clusters of problems which must be taken on by the institute. The gaps in our knowledge base in the area of educating at-risk students are considerable. The committee expects that the institute will also initiate research and development in the following areas:

School organization for student diversity.—At-risk student often lose out in educational opportunities because their prior preparations are below average and schools are poorly organized to deal positively with student diversity. Research and development is needed on alternative ways to organize schools to meet the demands created by student diversity, including novel approaches to grouping, scheduling, and school staffing.

Flexible and effective use of human and technological resources.—The challenge of serving the individual needs of at-risk students calls for developing new ways of using different combinations of human and technological resources to support learning. Research and development is needed to assess the effectiveness of supplementing the efforts of full-time teachers with specific uses of teaching aides, peer tutors, or adult volunteers from local colleges and communities.

Methods for realizing the true learning potential of various emerging technologies need to be developed and evaluated, and specific learning activities need to be designed to make technology a more effective tool for professional educators.

New teacher and student roles in school learning communities.—At-risk students are especially likely to attend large, departmentalized schools with traditional classrooms that produce alienation and negative climates. Research and development is needed on alternative staffing and evaluation structures and on new teacher and student roles that can create a positive human learning community for at-risk students.

Effective schools for limited English proficient students.—A major continuing program of research and development is called for in order to create effective learning environments at each stage of human development for students whose first language is not English. Basic research is needed on second lan-

guage learning at different at different ages and on the effects of home environments.

Preparation for our pluralistic society.—Most American students do not attend schools with desegregated enrollments and do not share classes or extracurricular activities with students outside of their own race or ethnic group. Research and development projects are needed to evaluate approaches to increase the opportunities for desegregated schooling, such as magnet schools and voluntary cross-district transfers.

Improvements in local and Federal programs of assistance to disadvantaged students.—Research and development can help improve the large programs that provide assistance to disadvantaged students, such as Chapter 1 and special education, by addressing key underlying policy questions and evaluating the strengths and weaknesses of current operations. Special education programs also deserve to be reexamined as a prime source of extra help for very low-achieving students classified as learning disabled, in comparison to alternative approaches that require less extensive diagnoses, less diversion of district resources, and less permanent labeling of the student.

Family and community connections.—Involvement of home and community resources is now greatly underutilized by most schools serving at-risk students, despite the fact that family and community institutions seem willing to work with schools to improve student learning. Research and development is needed to initiate practical ways to draw parents and community volunteers into each of the main functions of schools, including student learning activities, and to sustain various home and community connections.

School-to-work transitions.—American education does very little to assist in the tradition from school to work for at-risk students who wish to begin full-time employment directly after high school. Research and development is needed to experiment with and evaluate current ideas for integrating academic and vocational experiences in high school and for making school behaviors such as good school attendance, good grades and leadership in school activities count in the hiring process. Also needed are scientific evaluations of alternative schools that seek to reduce the dropout rate by using flexible schedules that allow for paid unemployment and other arrangements that adapt the school experience to meet other major student family or personal responsibilities.

Estimating resources and costs of specific school improvements.—We need to move beyond the frequent political arguments of whether or not school reform for at-risk populations can be accomplished by major rearrangements of current resources without significant cost increments, to careful estimates of what specific school reforms actually entail in terms of initial and/or continuing costs. Knowledge of what school improvements work best for at-risk students of different ages needs to be accompanied by studies of the costs associated with effective programs.

In order to carry out successfully this research and development agenda, the Institute must seek and attract top scholars with expe-

rience and expertise in the education of at-risk students. It should also establish special relationships with predominately minority higher education institutions, rural-focused colleges and universities, and institutions specializing in bilingual education.

Former Secretary of Education Terrel Bell, who was responsible for the publication of the influential "A Nation at Risk" report, has observed that the national school reform movement has only benefitted 70 per cent of the nation's students. "The other 30 per cent are low-income, minority students and we are still not effectively educating them", he has commented. The Institute for the Education of At-Risk Students will redress that destructive neglect, acting as an engine for the reform of the education of these forgotten students, If fully funded and effectively administered, the Institute will provide research-based leadership to light the way down a corridor that has remained dark and unexplored for too long.

National Institute for Innovation in Educational Governance, Finance and Management

The National Institute for Innovation in Educational Governance, Finance, and Management is established to undertake a coordinated and comprehensive program of research and development to identify, develop, and evaluate approaches to governance and management at the State, local, school-building, and classroom levels which promise to improve educational equity and excellence. Such approaches include open enrollment programs and magnet schools, the provision of performance-based financial awards and other incentives to improve student achievement, school-based management, the restructuring of school finance systems, increasing the role of teachers in policy-making and administration of schools, expanding the involvement of parents and families in the management and governance of schools, and initiatives designed to increase the representation of women and minorities in educational leadership and management positions.

In recent years, there has been an extraordinary public debate about alternative approaches to governing and managing our schools. Unfortunately, however, this debate has tended to be more heated than enlightened because the research base in this area is so embarrassingly meager. Anecdotes and ideology, not research-based knowledge, have formed the substance of the debate.

Writing about the explosive issue of school choice in "Choice and Control in American Education," Andrew Porter, a choice proponent, noted that:

> At present, we are not sure what choice means, and we surely do not know its effects. This lack of knowledge should not be taken as a reason to stop experimenting with choice; just the opposite is true. We should be experimenting with choice and carefully documenting the nature of the experimentation and the effects. * * * When the heat of the current reform cools and when politicians and policymakers have become intrigued with some other educational innovation, only what has proven useful from our experimentation with choice will remain. Scattered anec-

dotes of success, ungrounded in theory and untied to successful teaching and learning, will leave no trace.

Porter's comments are about choice, but they have relevance for virtually every innovative approach to governance now being widely discussed and debated, including deregulation and school-based management. Much too little is now known about the effects and implications of these approaches on student learning and performance. Carefully-controlled experimentation and scientifically-based research and development focusing on a full range of alternative approaches is urgently needed to inform the public debate about school governance.

The Institute's research program will also help us to better understand the possible limitations of governance-based solutions to the problems facing American education. The allure of choice, school-based management and other innovative approaches to governance is that they appear to be essentially cost-free and are based on the assumption that our schools and teachers have all the resources and knowledge they need to succeed. They already know what to do and have the means to do it: they just need to be left alone to do it (school-based management) or compelled to do it by market forces (choice). New governance structures are too frequently perceived today as a kind of "magic bullet" for education. A fuller and sustained program of research will help us to identify the extent to which governance structures truly can help to boost achievement and learning, and the extent to which they cannot.

The Institute should make the issue of school finance a central part of its research agenda, identifying and analyzing the impact of inequities in intrastate and intradistict school finance systems on student learning and developing alternative, fairer approaches to financing schools. In his book "Savage Inequalities," Jonathan Kozol has graphically cataloged the daily atrocities committed against the children who must attend schools which are starved of basic resources: classes conducted in closets; hallways flooded with raw sewage; science labs without equipment; locker rooms without shower facilities; history textbooks two-decades old; inadequately trained teachers; unheated, dirty classrooms. The list of abuses perpetrated against children condemned to these Third World-class schools is literally endless. Unless these inequities are addressed, "restructuring" and "reform" will, as Kozol put it, amount to "very little more than moving around the same old furniture within the house of poverty".

Yet it is for the sake of all of our children, and not just those who attend these American-style bantu schools, that school finance must command our attention. Education journalist Anne C. Lewis has written that:

> One of the governors most prominent in the effort on national goals has commented that it is absurd to promote education as our greatest priority, then to continue to finance it on the least substantive and most volatile tax base we have—property taxes. The problem is more than one of basic inequities. It is one of allowing the financing of schools to be vulnerable to extreme local and regional economic swings—and swings in public moods—that

> produce constant instability. * * * Even the most affluent school districts are not immune from efforts to spread too few resources around. It should embarrass a society proud of its leadership and convinced that it is child-centered that the United States turns to lotteries or State takeovers to keep our schools running.

By undertaking a comprehensive program of research and development which addresses school finance and the wide range of innovative approaches to school governance and management, the Institute for Innovation in Educational Governance, Finance, and Management will provide the Nation with the research-based leadership it needs to effectively utilize management and governance reform to improve education for all students. Scientific knowledge, not anecdotes, not ideological cant, and not sloganeering, must drive our Nation's decision-making about the governance, management, and financing of our schools.

National Institute for Early Childhood Development and Education

The National Institute for Early Childhood Development and Education is authorized to develop policies and practices which include (1) the role of parents and the community, and the training and preparation of teachers and other professionals or paraprofessional preschool and child care workers in the social and educational development of infants, toddlers, and preschool children, and (2) approaches which sustain the benefits of effective preschool and child care programs.

The new Institute will be critically concerned with research and development capable of responding to the needs for early intervention for disadvantaged children, at-risk children, children with disabilities. It must also ensure that its research and development program provides information that can be utilized in improving the major Federally funded early childhood education programs, including Head State, Even Start, Chapter I preschool programs, and Part H of the Individuals with Disabilities Education Act (IDEA).

Dr. Tom Schultz, Director of Early Childhood Services at the National Association of State Boards of Education, testifying before the Subcommittee on Select Education on March 17, 1992 stated:

> The strength [of the Institute] * * * is its potential to broaden OERI's constituency. For example, [it] could provide useful leadership for a growing field of scholarship and services. While expansion of early childhood programs has been driven by a few notable evaluation studies, there has been little Federal support for research on early childhood and family policy issues, nor on the processes of learning and development in young children. Studies are being funded by foundations and different Federal agencies without an overall agenda or means to cumulate or synthesize findings on key questions. * * * Thus an Institute in this area would provide a focal point for scholarship and an outreach to a substantial new audience for OERI.

According to the National Commission on Children, only a fraction of children who would benefit most from high quality early childhood programs have access to Head Start and other community-based initiatives. Despite the importance of preschool learning and socialization for school readiness and later school success, only 20% of those eligible for Hear Start are served.

The National Research Council report, "Who Cares for America's Children? Child Care Policy for the 1990s," confirms that linkages between own-group cultural identity and academic competency have been found for minority children in the United States, as well as in other countries. The Council calls for research on approaches that "affirm children's cultural identities in relationship to child development." It is the opinion of the committee that the significance of multicultural approaches to the success of many Head Start programs should be more adequately researched.

Other pressing research includes developing model programs for the escalating numbers of crack- or other drug-addicted babies who may be developmentally impaired and the 1 in 5 children who have developmental, learning, and behavioral disorders who are identified through the Preschool and Early Intervention programs of the IDEA (formerly the Education of the Handicapped Act).

National Institute on Student Achievement

During the past 20 years, relatively little has changed in how students are taught. Despite an abundance of research suggesting alternatives, classrooms are still dominated by textbooks and teacher lectures. Despite some progress, the differences in performance between white students and their minority counterparts remain unacceptably large. Gender gaps in mathematics and science also remain at high levels.

The National Institute on Student Achievement is established to develop a coordinated and comprehensive program of research and development to improve student achievement in English, mathematics, science, history, geography, and other subject areas by identifying, developing, and evaluating: (1) innovative and exemplary methods of instruction and classroom through research on various pedagogies, methods of teacher preparation, methods of instruction delivery, and student learning; and (2) programs designed to enhance academic achievement and narrow racial and gender performance gaps, including research and development on involving parents in their children's education.

It is imperative that the work of the institute be driven by a stable, coherent, and long-term agenda which recognizes what research and development can and cannot contribute to the school improvement movement and which includes a substantial commitment to basic research. The effectiveness of past Federal support for education research has been severely limited by a tendency toward faddishness and an impatient preoccupation with identifying simple solutions to the extraordinarily complex problems that beset American education. The National Academy of Sciences points out in Research and Reform that:

> Much of the public discussion of education research has a distinctly utilitarian cast: it assumes that researchers,

conduct studies, their findings are translated into products or programs for use in the schools, and education is improved. This view is at once too narrow and too grandiose. It implies that the only valuable research is research that can be directly translated into classroom practice, a view that gives short shrift to much research. And it encourages unrealistic expectations about what research can—or should be able to—accomplish.

The effects of research on educational practice are seldom straightforward and quick. As in other fields, there are few definitive studies, but rather a gradual accretion of knowledge drawn from overlapping studies in many fields of study, conducted over a long period of time, punctuated by an occasional breakthrough.

The committee also wishes to emphasize that the mission of the Institute is far broader than to simply identify discrete practices and programs which are effective. School improvement requires more than amalgamating and implementing a set of effective practices and programs; "the main task of reform," the Academy noted, "is not to install new practices in schools the way one would install appliances." There are an abundance of effective individual model programs in education; there are precious few, if any, successful model systems of education. The institute must focus on how to promote and enable system-wide reform in our schools which improves education for all students in all schools.

The National Institute for Postsecondary Education, Libraries and Lifelong Education

Subsection (h) of section 405B establishes a National Institute for Postsecondary Education, Libraries, and Lifelong Learning.

There are a number of other Federal agencies and entities which support research which is relevant to the purposes of this institute, including the Departments of Justice, Health and Human Services, and Labor, and within the Department of Education itself, the Offices of Postsecondary Education, Library Programs, and Adult Education. The committee finds, however, that the knowledge base generated by these efforts is insufficient and that a more intensive and comprehensive approach to supporting research related to adult learning is needed.

To assure that the research efforts of these other entities are complemented and not duplicated by the institute, however, H.R. 4014 encourages the institute to collaborate with and jointly fund research activities with these entities. When acting alone, the institute could only undertake research and development in those areas which were not being sufficiently addressed by other Federal entities.

In the area of postsecondary education, there is an abundance of potential research topics for the institute to explore. These include financial barriers to access to higher education and the role of Federal and other government programs in easing those barriers and approaches to addressing the special education and support needs of minorities, women and older adults in postsecondary education. The committee expects that the institute will also support a full

range of research activities aimed at improving the quality of post-secondary education generally and reducing its ever-burgeoning costs. These area critical issues which the Department has tended to slight in recent years with its near-exclusive focus on elementary and secondary education.

The Institute should also support research and development in an area which has historically received scant attention at OERI and its precursor NIE: expanding access to and improving the quality of the education provided to the more than one million men and women incarcerated in America's jails, prisons, and other correctional facilities.

Addressing the often dramatic educational needs of this large and growing population of Americans must command greater attention because most of those who are now incarcerated will one day be released. Some 90 percent of the men and women who are in prison today will be released by the end of this decade. They will be very much a part of "America 2000". Every study which has examined the impact of correctional education has consistently found that it reduces recidivism.

Unfortunately, the severe educational needs of this burgeoning inmate population are not now being adequately addressed by the Federal, State and local correctional systems. Nationwide, currently only an estimated 20 percent of the inmate population participates in any educational or vocational program. Even when educational programs may be available in correctional institutions, they still may not adequately meet the needs of inmates. Described as "the most comprehensive examination of State- and Federally-funded education programs in correctional institutions", the National Evaluation of Title I Programs in State Institutions for the Neglected or Delinquent conducted by the U.S. Department of Education between 1975 and 1980 found myriad problems with the quality and effectiveness of correctional education services. Students "were found to fail to measurably gain from participation in correctional education programs, they failed to attain a level of proficiency to acquire a GED, and they either did not enter school upon their release, or soon dropped out".

There is a great deal of research to be done. As is the case with adult education generally, very little empirical research has been undertaken which specifically addresses education in the correctional setting. The teaching strategies which predominate in correctional education today have been derived largely from practices developed more than a decade ago for the instruction of educationally disadvantaged elementary school students. These practices include the use of curricula driven by a rigid sequencing which requires the attainment of basic skills prior to the development of higher-order skills, the use of teacher-controlled instruction almost exclusively, and an emphasis on rote memorization and drill and practice exercises. This approach is now widely considered to be ineffective in educating disadvantaged youngsters at the elementary and secondary level and its effectiveness with adult learners, much less adult prison inmates, is even more dubious. New and more effective approaches must be developed in which the instruction is more interactive and the curriculum integrates the attainment of

basic and higher-order skills and provides a clear, real-world context for the development and use of these skills.

The development of these new instructional approaches should be sensitive to the particular demands and constraints of education in the correctional setting. It must take into account, for example, that the physical facilities in correctional institutions were designed with security and not education in mind and may therefore pose some special difficulties for the correctional educator. It should also place a priority on identifying effective strategies for accelerated instruction to assure that services can be provided to those who are imprisoned for a relatively brief period of time. Too often, these prisoners are overlooked completely in designing and implementing educational programs. Given that the average duration of incarceration for juveniles is 4 to 7 months and 20 months for adults, research on and development of methods of accelerated instruction must be a priority.

Another critical area of concentration should be the identification and development of effective training materials for correctional education personnel. The need is particularly acute for inservice training materials as many correctional education personnel have not received any specialized training in working with the incarcerated prior to their employment. Moreover, they generally lack the same kind of opportunities for professional development and inservice training which are available to teachers and other personnel in the public school system.

In the area of library services, the institute should work closely with the Office of Library Programs (OLP) to develop and jointly fund a comprehensive research agenda. The nucleus of such an initiative has been developed by OLP through its Rethinking the Library in the Information Age project, which identified some 130 questions in 10 key issue areas which required further research. That project concluded that there was a need to reconfigure OLP's role away from the present piecemeal and passive approach of annually awarding a few modest grants to support small, discrete research projects toward a more comprehensive, catalytic approach of providing the core support needed to develop and sustain the research infrastructure that is now lacking in the field. The institute must work with OLP to put in place this new approach to Federal support for research in library and information science.

The Institute should also take responsibility for managing the existing contract for the National Center on Literacy and assuring that its activities are fully coordinated with those of the National Institute for Literacy established by PL 102-73. The committee does not intend for the institute to fund any new research projects in the area of adult literacy, however. Such activities would be appropriately undertaken by the National Institute for Literacy.

Research on assessment

Subsection (i) of section 405b requires OERI to support a comprehensive, coordinated program of research and development in the area of assessment which is to be carried out by each of the Institutes and through a research and development center which is to be jointly funded by the Institutes. Although there have been suggestions that assessment research should be confined only to the

Institute on Student Achievement, the committee believes that it is an issue which is relevant and important to the missions of all of the Institutes. The bill's requirement that there be at least one research and development center focused on assessment will assure that there is a critical mass of concentrated research and development effort in this area.

A significant part of this research effort should be centered upon designing and developing, and testing innovative, alternative approaches to assessment, particularly "authentic" or performance-based assessments, which can improve instruction and learning in the classroom. Most assessment instruments administered in our schools today do not meet this criteria; they impede and distort learning instead of enhancing it.

Researcher Linda Darling-Hammond has cogently explained the problem:

> In contrast to testing in most other countries, American testing is dominated by norm-referenced, multiple-choice instruments designed to rank students cheaply and efficiently. These instruments were initially created to make tracking and sorting of students more efficient; they were not designed to support or enhance instruction. Because of the way the tests are constructed, they exclude a great many kinds of knowledge and types of performance we expect from students, placing test-takers in a passive, reactive role, rather than one which engages their capacities to think critically, structure tasks, produce ideas, and solve problems.
>
> These shortcomings of American tests have become more problematic as test scores have been used to make important educational decisions. As schools have begun to "teach to the tests", the scores have become ever-poorer assessments of students' overall abilities. This is because classwork oriented toward recognizing the answers to multiple-choice questions does not heighten students' proficiency in aspects of the subjects which are not tested, such as analysis, complex problem-solving, and written and oral expression. Many studies have found that because of classroom emphasis on multiple-choice basic skills tests, American students * * * rarely plan or initiate anything, create their own products, read or write anything substantial, engage in analytic discussions or undertake projects requiring research, invention, or problem-solving.

Performance based assessments, which include essay examinations, research projects, scientific experiments, and portfolios of student work, require students to think analytically and use the kind of higher-order skills and abilities they will need to succeed in today's world. These types of assessments can both more accurately measure the knowledge and achievement of students and can be better used to support instruction and learning in the classroom. Assessment can become an integral part of regular instruction, not something that disrupts or detracts from it.

Although substantial research and development has already been done to develop and expand the use of performance-based assess-

ments in schools, much remains to be done. Very little is known about the validity, reliability and generalizability of the results of such instruments, the costs of implementing performance-based assessments on a large scale, or the implications of using such instruments for high-stakes uses.

Coordination of research on cross-cutting issues

The committee recognizes that there are a number of issues and areas of inquiry which are relevant to the purposes of more than one of the institutes. All of the institutes, for example, are likely to include some research on teacher training, assessment, and educational technology as part of their greater research program. For this reason, H.R. 4014 requires the Assistant Secretary to take responsibility for coordinating the work of the institutes on these cross-cutting issues in order to assure that the institutes' efforts complement and do not duplicate each other and that every pertinent aspect of a cross-cutting issue is fully explored by OERI.

Program on teaching and teacher education

The committee intends that all Institutes work together on cross-cutting issues. Four of the five Institutes have missions that address teaching and teacher education, making it necessary for the Assistant Secretary to develop a comprehensive, coordinated program of research in these areas, to be addressed, not only by the Institutes, but by the National Research and Development Centers and field-initiated studies.

To this end, the committee has identified a need for research in these areas which should include, but not be limited to: effective teaching skills for the preparation and continuing education of teachers; the use of technology for teacher educators and classroom teachers; the development and appraisal of curriculum and materials for the initial and continuing education of teachers and teacher educators; and strengthening the evaluation and dissemination of information on programs for continuing professional education and renewal of those who educate teachers for initial or advanced licensure or certification.

Research on educational technology

Subsection (l) of section 405B requires OERI to support a comprehensive program of research and development on the uses and applications of technology in education. Such research is to be carried by each of the Institutes and through a research and development which is to be jointly funded by each of the Institutes.

Technology offers boundless new opportunities to improve and enrich American education which OERI must fully explore and exploit through a sustained and significant program of research and development. Unfortunately, in the past, OERI's investment in technology-related research has whipsawed with each major shift in top personnel at the Department of Education, rising to significant levels when the particular Secretary and the Assistant Secretary were interested in the issue and dropping to negligible levels when they were not. Subsection (l) will assure that technology-related research is made a consistent priority at OERI and end this destructive confusion and instability.

In its report, "Power On!", the Office of Technology Assessment emphasized why a consistent Federal commitment to technology-related research and development is so important:

> OTA concludes that increased coordinated support for R&D in educational technology is necessary. Significant improvements in education can be made if sustained support is made available for the development of new tools for teaching and learning. The private sector, while a contributor to this effort, does not have primary responsibility or appropriate vision for making this a priority. States and localities do not have the capacity. The magnitude of the challenge facing education, allied with the potential offered by new interactive learning technologies, requires that the Federal Government accept this responsibility and opportunity for leadership.

TITLE IV—NATIONAL EDUCATION DISSEMINATION SYSTEM

Office of Reform Assistance and Dissemination

Section 405C establishes an Office of Reform Assistance and Dissemination to carry out a broad range of dissemination and technical assistance activities to support reform and school improvement efforts undertaken by local education agencies, teachers, school administrators, policy-makers, parents and others. The Office would be responsible for administering the ERIC system, the network of regional laboratories, the National Diffusion Network, SMARTLINE, the electronic networking grant program, Regional Partnerships for Teacher Change Agents, the America 2000 Special Assistance program, and other related programs and activities.

One critical reason for the persistently weak link between education research and practice is that there has been no single entity within OERI which is centrally responsible for directing the dissemination of the knowledge generated by the Office and improving its utilization by educators, parents, and others. Each individual research and development center, for example, is responsible for disseminating and marketing its research and resources within the education community. This diffusion of responsibility has resulted in wasteful redundancies in some areas and little or no activity in others. H.R. 4014 seeks to end this inefficient, scattershot approach by consolidating authority over dissemination in one single location within OERI.

H.R. 4014 also seeks to improve the utilization of research by practitioners by taking multiple, complementary approaches to dissemination and technical assistance; a full range of activities are to carried out by the Office of Reform Assistance and Dissemination. As the National Academy of Science pointed out in its Research report, the weak link between research and practice is both a supply-side problem, stemming in part from the quality, format, and orientation of the research supplied by researchers, and a demand-side problem, stemming from the failure of educators to seek out and use research-based knowledge more systematically in practice. Strengthening the link between research and practice, therefore, can only be achieved through a number of different approaches. No one "magic bullet" can be expected to do the job.

The committee wants to emphasize that in order for this legislation to be successfully implemented at the State and local levels, State policymakers, especially the State legislatures, must be involved. The committee urges OERI and the Office of Reform Assistance and Dissemination to utilize organizations such as the National Conference of State Legislatures which are uniquely positioned to provide the necessary technical assistance and supportive services to State legislative leaders to help them implement State legislation which compliments this Federal effort.

Identification and designation of exemplary and promising programs

Subsection (c) and (d) of section 405C seek to deepen, expand and enrich the knowledge base available to support State and local reform efforts by requiring the Dissemination Office to undertake an aggressive effort to identify and validate effective education programs, policies, practices, and products.

This effort would be distinct from and complementary to the activities of the existing National Diffusion Network. Under NDN now, individuals who have developed an education program they believe to be effective submit a 15-page description of their program along with statistical evidence of its effectiveness to the Department of Educations's Program Effectiveness Panel (PEP) for review. If the PEP concludes that there is sufficient evidence to support the developer's claims, the program is validated as 'exemplary' for a period of six years.

The developers of validated programs are then eligible to receive NDN "Developer-Demonstrator" grants to enable them to provide training, materials, and technical assistance to others interested in adopting their program. Not all services provided by Developed-Demonstrators are free; they can and do charge for curriculum materials and some of the training they provide. NDN also supports "facilitators" in every State, often in State Departments of Education, who promote awareness of the programs available in NDN and assist with the adoption of NDN programs within the State. Although the Department itself does not and disseminate a list of NDN's programs, a private company does publish such a catalog ("Educational Programs That Work") which is available for sale to the public.

There are 440 programs listed in the most recent edition of "Educational Programs That Work." Of these:

192 are "inactive" and do not currently have services available to support the adoption of the program at other sites;

109 are validated "active projects"

138 are "active projects" which have not been revalidated.

In 1989, 27 new programs were submitted to the PEP for approval and 14 were validated. In 1990, 24 programs were submitted and 13 were validated.

The activities authorized in H.R. 4014 differ from those carried out through NDN in three fundamental ways.

First, H.R. 4014 establishes an assertive process of identification in contrast to the process used by NDN. The burden is placed upon the Department of Education to seek out and validate successful policies and programs; it does not depend upon the actual develop-

ers of programs to learn evaluation methodology, prepare the necessary paperwork, and shepherd their program through the PEP process. The Department of Education is charged with taking the lead and assertively sifting through and evaluating the research base for effective practices.

A second difference is the criteria used to evaluate and validate programs. H.R. 4014 provides for the designation of programs by specialist panels in two categories: exemplary and promising. In order for a program to be designated as exemplary, there must be a clear body of empirical evidence which definitively establishes its effectiveness; this evidence may include but could not be limited to test results. The committee anticipates that only a small core of programs will be able to pass such a stringent test. In order for a program to be designated as promising, there must be extensive, albeit not conclusive, empirical evidence of its effectiveness which a panel of appropriately qualified experts considers to be compelling and convincing. A much larger pool of programs is likely to be validated as promising under this criteria.

The initiative authorized in H.R. 4014 also differs from NDN in that it encompasses a broader universe than simply educational programs. The identification and validation process would extend beyond programs to include as well educational policies (specific plans of action aimed at accomplishing certain organizational goals), practices (behaviors or instructional management principles used in classrooms or other educational settings), products (materials such as textbooks, computer hardware and software, and video and audio tapes), and research findings. All of the knowledge generated by the Nation's investment in educational research and development would be fully mined and put to work to support educational reform and improvement.

ERIC clearinghouses

H.R. 4014 reauthorizes the Educational Resources Informational Center (ERIC). First established in 1966, ERIC is a nationwide information network designed to provide users with ready access to educational literature. ERIC has become the world's largest and best-known educational database, with over 725,000 records of documents and journal articles. It serves as a resource for educators, scholars, and an entire spectrum of persons interested in education—from the technical researcher to the concerned parent.

ERIC is a unique database emulated and replicated by other nations. Although ERIC is a relatively small component within the education research and development infrastructure, it has a significant role to play in the development of an improved educational system. With nearly three million users annually, providing a nearly equal amount of information to students at colleges and universities, as well as to teachers, trainers, and counsellors, ERIC is at the vanguard of positive change within our educational system.

The legislation stipulates that there should continue to be 16 ERIC Clearinghouses with the same scope and functions as they have currently. This provision is necessary to maintain the stability of a system which, by all accounts, has worked very well. This requirement should not be interpreted to mean, however, that OERI should not continue to evaluate the scope and functions of

the clearinghouses and consider alternatives for restructuring and expanding the system to better meet the needs of ERIC's users. The committee encourages this kind of ongoing review and looks forward to working with OERI as part of this process.

In addition to these 16 clearinghouses, there are five adjunct clearinghouses, funded from corporate, foundation, and institutional sources. They are:

Adjunct ERIC Clearinghouse for Consumer Education;
Adjunct ERIC Clearinghouse for Art Education
Adjunct ERIC Clearinghouse for United States-Japan Studies
Adjunct ERIC Clearinghouse for Chapter 1 Compensatory Education;
Adjunct ERIC Clearinghouse for Literacy Education for Limited English Language Proficient Adults.

The committee recommends that these five adjunct clearinghouses be provided with partial Federal support should appropriations for the clearinghouses be sufficiently increased.

H.R. 4014 also includes two provisions which are designed to assure that the information provided through ERIC is fully comprehensive. The first requires that all reports, documents, and publications produced with assistance from the Department be made available to the ERIC Clearinghouses. Testifying before the Subcommittee on Select Education in 1988, Judi Conrad, Chair of the ERIC Directors, expressed concern that the ERIC system continued to have great difficulties in acquiring publications produced by Department contractors and grantees, including the research and development centers and the regional laboratories. She noted that the Department had recently allocated additional staff time for the purpose, but that the allotted staff time was still less than had been allotted previously under the National Institute of Education. The committee expects that the Secretary will provide sufficient staff resources to assuring that ERIC has access to Department-assisted publications, but does not believe it should be the sole responsibility of the Department to hunt down and acquire documents produced by its contractors and grantees. Providing ERIC with copies of all documents and deliverables produced with assistance from the Department should be made a condition of all grants and contracts executed by the Department. The staff of the Department should be used to monitor and enforce compliance with this requirement.

H.R. 4014 also requires the Secretary of Education to establish cooperative arrangements with other Federal agencies which support education-related research and development activities to assure that the results and documents associated with this research are made available to the ERIC Clearinghouses. The National Science Foundation, the Department of Health and Human Services, and the Department of Defense each support significant programs of education-related research and development and it is important that the results and information generated by this research be included in the ERIC database. Unfortunately, more often than not, they are not. The New York State Department of Education, for example, recently conducted a study which identified significant gaps in coverage in the area of computer-assisted instruction between the contents of the ERIC database and the

NTIS database, which contains information about research conducted by DoD and other Federal agencies. The provisions of H.R. 4014 require the Secretary to work to close these gaps by establishing more regular and formal exchanges of information with these other Federal agencies about their respective research programs.

The ERIC copyright

Another provision in H.R. 4014 prohibits the Clearinghouses and other entities receiving assistance under the ERIC program from copyrighting or otherwise charging a royalty or other fee for the use or redissemination of any database, index, abstract, or other information produced through the ERIC program. This provision nullifies the Department's recent decision to permit the contractor for the ERIC processing facility, to copyright the ERIC database and to charge royalty fees for the use of the database.

Since its inception, ERIC has concentrated its resources on the development of the ERIC database and relied almost exclusively on the private sector to disseminate it. The database has been placed in the public domain and provided at cost (i.e., the costs of reproduction, shipping, and handling) to private sector entities in the hope that these entities would reproduce, convert into other formats, and widely disseminate the database at no cost the Federal Government. For the most part, this approach has been successful: the ERIC database is now available widely in a variety of different formats, including in paper format, CD-ROM, microfiche, and through online services such as DIALOG, BRS and ORBIT. Most of these products are provided for sale by for-profit corporations, but there are a number of other non-profit entities, including public library systems and institutions of higher education, which also disseminate the ERIC database to the public for no or reduced charge.

The Department of Education recently changed this policy by permitting the contractor for the ERIC processing facility to copyright the database and charge royalty fees for its use by the public. A final schedule of the fees to be charged has not yet been decided upon, but the committee has reviewed one of the proposals now under consideration by the Department. Commercial on-line vendors would be charged 10% of the connect hour fee they charge users and an additional 10% of the fee charged per "hit" of data printed by the user. CD-ROM vendors would be charged a $50 fee for each CD-ROM they sold. Institutions of higher education and other entities which purchase the ERIC database, mount it on a mainframe and offer it electronically to students and faculty would be charged a one-time fee of $500 and an additional charge of $1000 annually; if the entity also made ERIC available through a network to other institutions, it would also be charged an additional one-time fee of $250 and another $500 annual fee for each institution which would have access to ERIC. All of these fees are in addition to the fee charged to cover the costs of reproduction, shipping, and handling (generally $1800 a year) of the database.

The Department expects to generate between $200,000 and $350,000 a year through these new royalty fees. The fees will be deposited in a separate account which will be controlled by the contractor but may only be used with the approval of the Department. These funds would be used by the contractor, with the approval of

the Department, to make unspecified "improvement" in the ERIC database.

The committee has reversed this policy in H.R. 4014 because it believes it will undermine the basic purpose of ERIC: to make quality educational information freely and widely available to the public.

The ERIC copyright violates one of the fundamental and traditional principles of government information policy: that the cost of government information should be made available to the public for no more than incremental cost of dissemination. The reasoning behind this principle is simple and obvious: since taxpayers paid for the production of the government information in the first place, they should not have to pay a second time in order to access and use it. Any other pricing policy amounts to "double taxation". It is no different than buying a new car and then being asked to pay the car dealer every time you actually wanted to drive it.

The American Library Association, the Information Industry Association, and other national organizations active in Federal information policy frequently disagree on many issues, but the cost-of-dissemination principle is something that all of them agree upon and strongly support. This principle is also affirmed in Office of Management and Budget Circular A-130, which directs Federal agencies to provide Federal information to the public at a price which is no greater than the incremental cost of dissemination and prohibits agencies "from using information products as a profit center or budgeting mechanism" by imposing surcharges or royalties. By its own admission, the Department regards the ERIC copyright as just this kind of "profit center" prohibited by OMB.

The ERIC copyright is also inconsistent with U.S. copyright law. Works produced directly by the U.S. government are required by law to be in the public domain, but a narrow exception does exist to permit the copyrighting of works produced under grant or contract with the Federal Government. The House and Senate committee reports which accompanied the last major revision of the copyright law in 1974 and subsequent court decisions and analysis by legal scholars have emphasized that the purpose of this exception is to accommodate those limited instances in which the provision of copyright protection is necessary to provide a financial incentive to market and disseminate the information in a manner or to an extent that the government cannot. Copyright should be available to contracted works, in other words, only when it will broaden and not limit dissemination. This interpretation is also supported by the provisions of the Federal Acquisition Regulations (FAR) which pertain to copyright protection of contracted works. 48 CFR 27.404(f)(1)(ii) states that "Usually, permission for a contractor to establish claim to copyright subsisting in data first produced under the contract will be granted when copyright protection will enhance the appropriate transfer or dissemination of such data and the commercialization of products or processes to which it applies."

The ERIC database clearly does not meet this test. For more than 20 years, ERIC's public domain status has enabled it to be widely disseminated through multiple sources and in a variety of different formats. Removing the database now from the public domain and imposing surcharges for its use will not "enhance dis-

semination"; on the contrary, by increasing the cost of accessing and using the data, it can only limit it.

The unique arrangement the Department has made for the collection and use of the revenues generated by the royalty fees is also troubling. Although the funds generated by the royalty fees will be used to support a governmental activity, these monies will be completely outside the control of the Congress—which has the exclusive power of appropriation—and only indirectly controlled by the Executive. The committee is not prepared to assess the consititutionality of this arrangement, but it certainly believes it to be unwise. Improvements to the ERIC system should be funded through the regular appropriations process so that Congress can exercise appropriate oversight and control over these activities. This seems particularly important because some of the possible "improvements" which the contractor has suggested undertaking with the royalty fees, such as the payment of dues in professional associations and and supporting participation by ERIC in international conferences, seem less than compelling.

Another concern is that by permitting the processing facility contractor to copyright the ERIC database the Department has given the contractor an unfair competitive advantage over others who produce products derived from the database. While the contractor does not currently compete with others who reproduce the database in CD–ROM or other formats or make it available online, it can certainly do so at any time in the future. Should that happen, the contractor would not be subject to the same royalty fees which its competitors would be required to pay for access to the database.

Finally, and most importantly, the ERIC copyright is objectionable because it will inevitably increase the cost to the public of accessing and using ERIC. The Department has expressed the "hope" that commercial vendors and others who will be charged the royalty fees will not pass this cost along to their users, but this "hope" seems, at best, extraordinarily naive. Of course, users will pay more. And as a result of these higher costs, many current users will use ERIC less frequently and some may choose to no longer use it at all.

The committee is aware that the Department is considering waiving the royalty fees when the database is purchased by a public or private non-profit institution for non-commercial use. The intent here, apparently, is to try to assure that the copyright does not increase the cost of using ERIC for educators and educational institutions. However, since most educators and educational institutions who access and use the ERIC database do so through commercial vendors like SilverPlatter, DIALOG, and others, this approach is unlikely to be successful in insulating them from the new higher costs which would result from the copyright. Ironically, one of the users that would end up paying more for using ERIC will be the Department of Education itself. According to the U.S. General Accounting Office, the Department currently spends about $225,000 annually for online database services, including ERIC, through FEDLINK contracts with commercial vendors.

Dissemination through new technologies

The committee is aware that many of the new emerging technologies contain the power to transform entire areas of the current educational landscape. For example, many aspects of inservice teacher training can now be reconceptualized because of the potential of interactive video-disc presentations. A number of prototypes exist that provides expert guidance to teachers by allowing them to view videos of colleagues implementing innovative research-based practices in their classrooms. The wide use of these promising prototypes will take partnerships that involve the cooperation of a number of actors—private sector producers of hardware and software, State and local education agencies, as well as schools and universities. OERI's leadership to effectively bring together and leverage the resources of these groups in order to develop a set of national models and approaches will present a unique and worthy leadership challenge.

In order to reach a large number of families and at-risk elementary students at home, in classrooms and after-school programs, the bill proposes a nationwide television-based project which will demonstrate new ways to provide assistance in teaching reading comprehension and writing coherence. The nationwide TV projects, "Square One TV" and "3-2-1 Contact," have demonstrated just such capabilities in mathematics and science education, reaching millions of students nationwide. The committee believes that OERI should continue to be involved with public television as it seeks to perfect this medium.

Sources of materials and research about teaching and learning for improving nationwide education (SMARTLINE)

Subsection (h) of section 405C authorizes SMARTLINE, the Administration's initiative to use the power of telecommunications and computer technologies to disseminate research-based information and other resources to educators, parents and others throughout the Nation. An expanded and substantially upgraded version of the small electronic bulletin board system now operated by OERI, SMARTLINE will provide quick electronic access to host of different kinds of useful information about education, including grant and contract assistance available through the Department, information about Department publications and resources, statistics published by NCES, syntheses of research and development findings, and listings of materials and courses of instruction provided through the Star Schools program.

In order to reach as many educators as possible through the most economical means possible, the legislation requires that SMARTLINE be accessible through the Internet, a Federally-subsidized "super-network" which now links an estimated 3,080 regional computer networks and an estimated 2 to 5 million individual computer users throughout the world. Most major institutions of higher education already have Internet connections and there has been recent interest and movement among elementary and secondary educational institutions and public library systems to connect with the Internet as well. In the states of California, Pennsylvania, Texas and New York, for example, most LEAs and many individ-

ual schools now have access to the Internet. One estimate provided to the committee is that half of the educators in the Nation can now be reached through the Internet, with new users being added every day.

For SMARTLINE, the advantage of the Internet lies not only with its already sizable, community of users but with its capability to transmit large quantities of information so quickly and economically. Currently, 45 megabits of information—the equivalent of 1,607 text pages—can be transmitted per second over the Internet. When the Internet is fully upgraded to the National Research and Education Network (NREN) over the next decade, it will be able to transmit 1.2 gigabits, or the equivalent of 39,000 text pages, every second and will have a greater capability to transmit non-text optical images as well.

While instant, electronic access to a summary or synthesis of research findings can be helpful to educators interested in school improvement, often what is most useful is the opportunity to engage in dialogue with the persons who actually performed the research or who are knowledgeable about its implications and applications. These kinds of exchanges are today relatively rare and infrequent, but new telecommunications technologies have now made it possible to make them immediately and regularly accessible to educators. for this reason, H.R. 4014 requires OERI to provide Internet access to each office of the Department and all of the Department's research and development contractors and grantees, including the regional laboratories, the ERIC clearinghouses, and the NDN State Facilitators. In this way, readily-accessible online community of experts can be created to supplement and strengthen the information provided through SMARTLINE to the Nation's educators.

Such Internet-based networking will also facilitate greater coordination and cooperative activities among Department-funded entities. As the network is developed, the committee expects that the Department will also test the feasibility of using the network for other applications, including the collection of statistics and submission of applications for grant and contract assistance. The National Science Foundation and other Federal agencies have found that using the Internet for these kinds of tasks has reduced administrative costs and lessened the paperwork burden for both the agency and its constituents.

Although OERI has a great deal of valuable information at its disposal, there is such a wide diffusion of knowledge and information about education throughout the Nation that it is neither feasible nor desirable to try to make SMARTLINE the single, exhaustive repository of education-related information in the United States. What OERI can do, however, is work to make these other sources of information more accessible and "user-friendly" by promoting the development of one or more software interfaces or gateways. Through such interfaces, for example, a user could simultaneously search multiple databases with one query without having to learn how to use and search each individual database. H.R. 4014 authorizes OERI to support the development of these kinds of interfaces, but requires that it first conduct a feasibility study to more closely examine the issues and potential costs involved with such a project before proceeding.

In order to assure maximum access to SMARTLINE and its resources, H.R. 4014 also requires OERI to work with the National Science Foundation to assist State and local education agencies, libraries, and other educational institutions in obtaining access to the Internet and the National Research and Education Network.

Electronic networking

Subsection (i) of section 405C establishes a new program of formula grants to State education agencies to support the planning and development of Internet-based statewide electronic networks which would be accessible to and link all educational institutions within the state by the year 2000. The Committee believes that this assistance is an essential complement to the SMARTLINE program, necessary both to enable educators to access SMARTLINE and to exploit more fully the many exciting capabilities of computers and telecommunications technologies.

The extent of electronic networking within education is already considerable. There is now a wide variety of education-related networks with difference purposes and communities of users which are being supported by State education and library agencies, institutions of higher education, professional associations, commercial vendors and private individuals. Yet, there is little interconnection among this diversity of resources and the overall user based is still very small, comprising just a tiny fraction of the Nation's schools, educators, and students. Federal assistance is needed to enable State education agencies to address these and other obstacles so that the full potential of electronic networking can put to use to improve American education.

Electronic networking can become a powerful tool for improving the utilization and adaptation of education research by practitioners not only by delivering up-to-date information and other resources about education research quickly and efficiently to practitioners, but, more importantly, by fostering dialogue, information-sharing, and collaboration among educators and education researchers. Through such electronic dialogues, teachers and administrators can work with researchers to more fully understand and apply research in real-life contexts and integrate it with knowledge they have gained from their own experiences. Networks can also support the creation of new knowledge by enabling educators to share and learn from each other's experiences and by keeping researchers informed of what is happening in the classroom and helping them to "reality-test" their ideas and findings.

There are a number of impressive examples of the kind of "synergistic knowledge base" that can be developed through electronic networking. The National Education Association's Mastery in Learning (MIL) Project for example, employs an electronic bulletin board which links 300 practitioners at its 26 MIL schools with education researchers as an integral part of this comprehensive school restructuring initiative. The Harvard University Graduate School of Education supports an electronic bulletin board, the Beginning Teacher Computer Network which links the school's graduates who are in their first year of teaching with school faculty; network participants share and discuss problems and exchange information

and ideas about applying what they learned at Harvard to their work in the classroom.

In addition to providing support and resources to improve how instruction in the classroom is delivered, electronic networking has great potential to improve what is taught there as well. Through electronic networking, school administrators and educators can share and access subject area content standards, curricular frameworks, syllabi, lesson plans, and other instructional resources. The Association of State Supervisors of Mathematics, for example, has established the MELNET electronic network to support the implementation of the national standards for mathematics developed by the National Council of Teachers of Mathematics; a comparable networking effort to support improvement in science instruction is provided by the Council of State Science Supervisors.

Electronic networking can also provide new resources to enrich instruction and learning in the classroom. Through Cleveland FreeNet's Academy One project, students can communicate with a full-scale space shuttle mockup and control room during real-time simulations which are carried out in connection with actual space shuttle launches. The Computer Pals Across the World project and Hawaii's TELEclass program enhance foreign language instruction by enabling students in the U.S. to work with students in other nations on collaborative, multilingual writing exercises. California State University's Multi-User Simulation Environment, or MicroMUSE, uses teaches students about science by letting them explore its "virtual reality" Cyberion City Museum. Through the National Geographic Society's Kids' Network, science classrooms are able to work together on collaborative research projects. Teachers and their students are also able to access and use remotely a supercomputer at the Lawrence Livermore National Laboratory which has been reserved exclusively for their use.

For public, academic and school libraries, Internet-based electronic networking can make it possible to provide library users with access to a wider universe of information resources than could ever possibly be contained within the walls of a single library. The average library today, for example, can afford to purchase just 20 percent of the journals and periodicals which are published in the United States. Through Internet-based networking, however, a library could one day conceivably offer access to all or most periodicals "on demand" to its users, identifying a particular article through a database search and then accessing its full text instantly in electronic form.

H.R. 4014 provides assistance to State education agencies to support the development of comprehensive plans which would make these and other exciting resources and capabilities available to every educational institution within each State by the year 2000 through a statewide, Internet-based network that would be built upon any existing networks within the State. Developed through a broadly participatory process, each plan would address the technical issues involved in establishing the network, identify potential uses for it, set out a schedule for implementation, estimate the necessary costs involved, and identify means of meeting those costs. If a State education agency already had a plan in place which met

these requirements, it could use the funds provided through H.R. 4014 to support the implementation of that plan.

Regional educational laboratories

Subsection 401(j) reauthorizes the 10 Regional Educational Laboratories.

The committee intends to stabilize and better define the role of the Regional Educational Laboratories which have been characterized in the National Academy of Sciences' "Research" report as "* * * unique structure[s], poised between the university and service-delivery system of education." The committee intends that the laboratories become an essential component of the Federal research and development infrastructure. No longer subject to confusion as a result of shifting tasks and priorities, they will have distinct audiences, a regional governance structure, and specific research and development duties. To that end, the Regional Educational Laboratories are directed to use applied research and development activities to implement broad-based systemic school improvement strategies through:

(1) the dissemination of information about programs designated as exemplary and promising under subsection (c) and other appropriate programs and practices;

(2) the provision of support and technical assistance in:

adapting those programs and practices to local situations;

developing systems of assessment based on State or local curriculum frameworks that reflect recent advances in the field of education assessment;

improving professional development strategies to assure that all teachers are prepared to teach a challenging curriculum;

expanding and improving the use of technology in education;

developing alternatives for restructuring school finance systems to promote greater equity;

developing administrative structures more conducive to planning, implementing and sustaining school reform and improved education outcomes;

(3) the development of education programs and practices that address State or regional needs in relating to their school reform efforts;

(4) the provision of support and technical assistance to State facilitators, upon their request, funded through the National Diffusion Network.

These activities are to be tailored for the unique regional needs established by the governing boards within the priorities and standards established by the National Policy and Priorities Board. The laboratories will provide services to all those who plan for and carry out education, with special emphasis on State education agencies, intermediate education agencies, and local school districts. The committee specifically makes the laboratories eligible to compete under other Department programs that entail a variety of functions and services.

The bill directs the establishment of a governing board for each laboratory to serve as the sole entity in guiding and directing the laboratory in carrying out the provisions in the legislation.

The governing boards are to determine the regional agenda and allocate resources to and within each State served by the laboratory, taking into account factors such as the proportion of economically disadvantaged students and any special initiatives being undertaken by State, intermediate, or local education agencies which may require special assistance. This provision does not require that the allocation of the laboratories' resources be determined by a rigid formula, but it does require that the regional governing boards make such decisions solely on the basis of need. This provision was included in H.R. 4014 because of the committee's concern that in some regions, particularly the Northeast, the laboratories have provided only token assistance to schools located in some high-poverty urban areas. Given the profound and urgent need for assistance by schools with large populations of disadvantaged students, this is indefensible. The committee intends to exercise oversight over the implementation of this provision to assure that the governing boards' resource-allocation decisions in the future are clearly driven by the need for laboratory assistance within the region.

In order to assure that rural areas receive sufficient attention, the committee has also directed that 25 percent of the funds available to each laboratory to be used to meet the school improvement needs of rural areas in its region.

The regional governing boards will reflect a balanced representation of the States in the region, as well as the interests and concerns of regional constituencies. They must be aware of, and responsive to, the needs of the teachers, administrators, parents, and policymakers in their region.

The lack of coordination among the operational components of the Federal R&D infrastructure and other Federal education-related agencies was cited by a number of witnesses during Subcommittee hearings, and was identified as a major systemic weakness in the National Academy of Sciences, "Research" report. In order to promote coordination, as well as to avoid redundancy and duplication, the laboratories are directed to collaborate and regularly exchange information among themselves, with other entities established in this legislation (especially the Research Institutes, the National Diffusion Network, the Learning Grant Institutions, and the District Education Agents), and with other programs and units engaged in technical assistance and dissemination activities supported by the Offices within the Department of Education.

The committee has added a number of provisions that will enhance the effectiveness of the laboratories and provide them greater stability. Moreover, the quality of work done by the laboratories and their effectiveness in fulfilling the duties prescribed by the committee will be evaluated periodically by the Secretary through independent evaluations in accordance with the standards developed by the Research Policy and Priorities Board.

The laboratories have been given a new role at the national level in that the governing boards of the 10 laboratory are directed to establish and maintain a network that will serve national, as well

as regional, needs. The "national network of laboratories" is directed to share information about the activities each is carrying out; plan joint activities that would meet the needs of multiple regions; create a strategic plan for the development of activities undertaken by the labs to reduce redundancy and increase collaboration and resource-sharing in such activities; and devise other means by which the work of the individual laboratories can serve national, as well as regional, needs. The network will assure that the resources of the entire Nation are accessible to the constituencies for which each regional laboratory is responsible.

Continuity is provided by assuring the current laboratory contracts shall be fully honored and shall remain in effect until their expiration in 1995. At the end of those contracts, a new five-year laboratory competition shall be provided.

America 2000 Communities Special Assistance Program

Section 401(k) establishes the American 2000 Communities Special Assistance program. It provides for community-based dissemination, coordination, and technical assistance to the Nation's 50 most impoverished urban and rural communities, enabling them to achieve the National Education Goals and other objectives for educational improvement through the continuous, intensified application and utilization of education research results.

The Nation must respond to the monumental task of improving education and schools in the same way it would prepare for fighting a major war. H.R. 4014 launches an "intensified" America 2000 Communities program within the fifty poorest Congressional districts. The correlation between poverty and poor student performance has been well established. Localities with high concentrations of such at-risk students can not wait. The America 2000 Communities program, in concert with the Institute for the Education of At-Risk Students, will guarantee an interactive and responsive delivery system for dissemination, coordination, and technical assistance to bolster school improvement efforts. Mr. Edward P. Keller, Deputy Director of the National Association of Elementary School Principals, provided the Subcommittee with the following testimony:

> The America 2000 communities program involves both dissemination and coordination. An interesting feature of the program is the creation of a district education agent. A full-time executor—who can help a community rejuvenate its education program, who can locate relevant research and development activities, who can coordinate all local and State resources to the needs of children, and who can provide continued technical assistance to those carrying out the plan—is greatly needed.

The committee finds that an enormous amount of complex research information needs to be translated for practitioners in non-technical language and adapted by knowledgeable experts to practical settings. The involvement of teachers, parents, educators, and students in identifying local needs and in program planning, evaluation, and feedback is key to solving educational problems. Dr.

Paul T. Hill of the RAND Corporation supports this finding in testimony before the Subcommittee:

> Urban school improvement requires a broad community effort, led by business and community groups that in another era redeveloped the downtown or rebuilt the city's economic base. Coalitions led by CEO's, elected officials, clergy, neighborhood and anti-poverty group representatives, and college presidents have started a revolution from above, uniting to make education the No. 1 civic priority. School boards, administrators and teacher leaders still have important roles to play. But the days are gone when educational policy could be created solely in negotiations among the school board and its employees.

Most teachers on the classroom "firing line" do not believe that research and development can assist with their everyday recurring problems of discipline, excessive paperwork, outreach to homes and the community, or that such new information can facilitate instruction, reduce student boredom and supplement the knowledge being transmitted in the classroom. Nevertheless, there are models, methods, techniques and technology which already exist to assist with these problems. Dr. Wornie L. Reed, Director of the Urban Child Research Center, at a Subcommittee committee hearing in March 1992, provided insight into the existing problem and the impact of an education program based on the land grant university model:

> There is no coordinated approach, especially across school districts. The proposed plan for a district education agent extension program is an important step in the right direction.
>
> The urban public research universities of today share some of the same principal concepts of the original land grant program: to make higher education more accessible to the public, and to link teaching and research of the university to the community it serves.
>
> The Urban University Program has been quite successful in providing research and technical assistance activities to urban areas and in demonstrating the workings of an urban university model that is similar to the land-grant model. Both models provide the bulk of funding for teaching activities, but also add funding for both research and community service. The Ohio Urban University program links the resources of Ohio's academic institutions to the State's urban communities to solve the unique problems of cities.

The fragmentation of the existing dissemination system and the haphazard coordination between the National Research Centers, the Regional Laboratories, the ERIC bibliographic data base, and the National Diffusion Network, causes effective programs, materials, and practices to easily be overlooked. Additionally, at the local level there is no one available on an ongoing basis to see that communities most in need of specific kinds of research, development, and dissemination assistance are helped. There is often the need

for some intervention agent to guide the application of a test, effective remedy for a problem which can be solved. H.R. 4014 requires the Secretary to make grants to eligible entities [as defined in 401(k)(3)] for the establishment of Learning Grant Institutions and District Education Agents. The agent will ensure that the change process is carefully nurtured and monitored while specialist personnel assure that the resource base is of high quality and responsive to user needs. The 'change' agents must function independently to provide information; channel responses and feedback; and organize and coordinate a community-wide effort to improve education in "America 2000 Communities."

A 1986 paper, "At-Risk Youth: Improving Dissemination and Utilization of Program Results," published jointly by the Manpower Demonstration Research Corporation and Public/Private Ventures, emphasized the importance of using a "change agent" to promote the reform and improvement of programs serving at-risk youth:

> One reason for this is that the problems of at-risk youth are characterized by their relationship to multiple institutions. * * * Reform across institutions is particularly difficult, since information has to reach all the relevant actors in a community or State, and a consensus on program goals must be achieved. The barriers to reaching consensus are often formidable. * * * When diverse institutional structures are involved, and diverse professional frameworks for analyzing problems and solutions, the catalytic or intermediary function is useful, if not critical, to encourage utilization of evaluation results from cross-cutting programs.
>
> A second reason for a more active approach to program improvement is that program "replication" is rarely straightforward, even when research results are accompanied by extensive documentation of program models and implementation experiences. Both MDRC's and P/PV's involvement in multi-site demonstrations suggests that each replication effort requires adjusting a model to the institutional settings of the local sponsors as well as to the characteristics and needs of the target population in each replication community. * * *
>
> Thus the dissemination and utilization function that is missing in most existing efforts is the role of catalyst for innovation and change. While a large segment of the human service profession welcomes good ideas, the power of the status quo is substantial, especially given limited resources. The "change agent" role plays a major part in our recommendations for a successful dissemination and utilization strategy.

The District Education Agent provided for in H.R. 4014 is intended to be kind of "change agent" MDRC and P/PV believe to be so critical.

District Education Agents, with the support of their base Learning Grant Institutions, will have the following major functions:

> To assemble parents, students, teachers, education leaders, community leaders, labor leaders and business leaders for the

purpose of adopting the National Education goals, additional local education goals and a plan for achieving the adopted goals and to assist this group in mobilizing to achieve their objective.

To use the instruments and agencies of the Federal Government to disseminate useful information as speedily as possible.

To channel the responses and feedback of the practitioners back to the research and development community.

To identify gaps in the Federal "treasure chest" of information which would result in the launching of new initiatives to address specific problems.

To track past Federal grants to the district and pinpoint reasons for success or failure assist in improving their effectiveness.

To channel the resources of the Learning entities into the district in the form of information, materials and technical assistance.

The American 2000 program, as established by this subsection, provides high quality, useful information and technical assistance to promote the increased participation of parents, business and community leaders in partnership with teachers and educational leaders as they determine the future of their schools. The best school systems must be assisted to become better and the worst must be saved from total collapse.

Regional partnerships for teacher change agents

Section 401(l) establishes a new program of regional partnerships to create a corps of teacher change agents. The committee is concerned that education research, funded by OERI, is not reaching the local school district level, and teachers are not currently involved in the research and development process. Current research materials available to teachers are often too lengthy and technical to be useful in the classroom. Teachers lack the professional support to reach beyond the classroom and use research as a tool for implementing school reform efforts.

The committee intends that the regional partnerships provided for in this section will spur the creation of a network of teachers involved in the research and development infrastructure. The teacher change agents will act as liaisons between teachers and education research entities and provide feedback on teacher needs to the R&D system.

Training and technical assistance will be provided by a regional educational laboratory, at least one institution of higher education from each of the States in the region, the National Diffusion Network, and other entities with experience in teacher research or teacher professional development.

The regional laboratories will act as the fiscal agents for the partnership by entering into contracts with the Department of Education. The Governing Board of each regional education laboratory shall determine the composition of the regional partnership. It is the intention of the committee that at least one partnership shall be funded in each of the ten regional educational laboratory regions. The number of teachers that shall be selected to become

teacher change agents shall be determined by each regional partnership based on the amount of funding received.

The committee feels it is necessary for each teacher change agent to be on a full one-year sabbatical in order to effectively carry out the activities of this program.

TITLE V—NATIONAL LIBRARY OF EDUCATION

Title V of H.R. 4014 establishes a National Library of Education to provide a central location within the Federal Government for information about education, provide comprehensive reference services on matters related to education to Department employees and members of the public, and to promote greater cooperation and resource-sharing among providers and repositories of education information in the United States. The Library would amalgamate and upgrade the current functions of the OERI Research Library, the Department's Reference Section, and its Education Information Branch.

The current OERI Research Library has enormous potential as an information resource for the Nation's education community. Its 350,000 volume collection is the one of the largest education collections in the nation, second only to that of the Columbia University Teachers College Library. But the Department has done little to develop that potential; indeed, it has treated the Library with such indifference and contempt that it has nearly succeeded in snuffing it out.

A 1991 investigation by the General Accounting Office of the Department's Research Library concluded that, in its current condition, the Library was of "limited usefulness" to Department personnel and other users in education community. Due to inaction by OERI, the library has no overall collection development policy to guide its operations; such a policy, GAO explained, "is needed to make effective day-to-day decisions regarding the acquisition and preservation of materials that meet the needs" of the Library's users. Without a collection development policy, the Library's contemporary collections have been largely influenced by the individual interests of various Secretaries of Education and not the needs of its professional and policy personnel. As a result, key areas, such as vocational education and bilingual education, are the weakest and least comprehensive areas of the collection.

OERI has also slashed real nonpersonnel funding for the Library by 62% since FY 1980, including the funds necessary to regularly catalog and maintain the collection. Consequently, an estimated one-half of the collection is not cataloged and cannot be retrieved and used by Department personnel. In addition, another 40,000 volumes are "poorly maintained * * * improperly shelved and in need of rebinding and other preservation services".

The same GAO study, however, found that there was great demand and support among both Departmental employees and the education community in general for more vigorous and effective library services. The Department itself has funded several studies which reached similar conclusions. H.R. 4014 seeks to respond to those demands.

In the future, the committee believes that the newly-authorized National Library of Education can and should provide reference and other services to the education community which are comparable in scope to those now being offered by the National Agricultural Library and the National Library of Medicine. For the immediate period of time covered by this reauthorization, however, the committee believes that most of the Library's focus should be on addressing the serious problems identified by GAO. A collection development policy must be promulgated; the preservation needs of the collection must be addressed; gaps in the collection must be identified; and the information needs of the Library's current and potential users must be assessed. Once these essential, nuts-and bolts tasks have been dealt with, the Library will be poised to offer an expanded array of more intensive services to both the Department and the general public.

TITLE VI—LEADERSHIP FOR EDUCATION TECHNOLOGY

Title VI invests the Secretary of Education with new, ongoing responsibilities to provide national leadership to promote the expansion of and improvements in the use of technology in education.

The enormous capacity of technology to improve and enrich education opportunities in this Nation is largely untapped today. While some 95% of elementary and secondary schools have at least one computer available for use in instruction, most do not have computers or other technologies in sufficient quantities to utilize them effectively in educating students. The quality of existing software is inadequate. Little training or other assistance are available to help educators select and use technology in the classroom. Few standards are in place to assure the compatibility and effectiveness of hardware and software purchased for use in education. And important regional and national telecommunications decisions which ultimately affect education's ability to utilize technology are made without the participation of persons knowledgeable about the needs of the Nation's education system.

These and other barriers to greater and more effective uses of technology in education cannot be resolved without leadership from the Department of Education. Unfortunately, however, the Department has given these issues only sporadic attention over the past two decades. As the Office of Technology Assessment noted in its report, "Power On!," every year the Department of Defense spends more on education technology than the total amount that has been spent by Department of Education and the HEW Office of Education in the past 30 years. The extent to which technology receives attention from the Department has depended largely on the extent to which it is an issue that interests whoever is Secretary at the time. Secretary Terrell Bell, for example, was deeply interested in the potential uses of technology in education any many useful activities were lunched during his tenure. The subsequent two Secretaries did not share his interest, however, and those activities were downscaled or eliminated. Technology has once again become a Department priority under the current Secretary Alexander.

Title VI would put an end to this inconsistency and ineffectiveness by making the improvement and expansion of the use of tech-

nology in education a permanent priority for the Department, independent of the individual whims and interests of the particular Secretary. The Committee considered a proposal to create a new office within the Department for this purpose, but ultimately rejected this approach because it seemed unlikely to be effective, particularly if the office did not receive adequate staffing and appropriations to support its work. Moreover, attention to the uses of technology must be made a priority throughout the Department and in each its programs, not concentrated in a single office of potentially marginal influence. Creating a technology office in the Department may be a viable and constructive option at some point in the future, but the committee does not believe it is necessary or useful at this time.

The provisions of Title VI are obviously insufficient to address all of the obstacles to greater and improved use of technology in education; Clearly, much more must be done by the Federal Government. Many of these issues, however, are well beyond the scope of this legislation and would be more appropriately dealt with through other legislative initiatives. The reauthorization of Elementary and Secondary Education Act programs during the next Congress, in particular, should provide greater opportunities to address this critical issue more fully and effectively.

CONGRESSIONAL BUDGET OFFICE ESTIMATE

In compliance with clause 2(l)(3)(C) of rule XI of the Rules of the House of Representatives, the estimate prepared by the Congressional Budget Office pursuant to section 403 of the Congressional Budget Act of 1974, submitted prior to the filing of this report, is set forth as follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 25, 1992.

Hon. WILLIAM D. FORD,
Chairman, Committee on Education and Labor,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed H.R. 4014, the Educational Research, Development, and Dissemination Excellence Act, as ordered reported by the House Committee on Education and Labor on May 21, 1992. The CBO cost estimate is enclosed. Enactment of this legislation would not affect direct spending or receipts. Therefore pay-as-you-go procedures would not apply to the bill.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

JAMES L. BLUM
(For Robert D. Reischauer, Director).

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

1. Bill number: H.R. 4014.
2. Bill title: Educational Research, Development, and Dissemination Act.

3. Bill status: As ordered reported by the House Committee on Education and Labor on May 21, 1992.

4. Bill purpose: To reauthorize the Office of Educational Research and Improvement (OERI) in the Department of Education.

5. Estimated cost to the Federal Government:

[By fiscal years, in millions of dollars]

	1993	1994	1995	1996	1997
Discretionary programs:					
Title III—general authorization:					
Authorization level	37				
Estimated outlays	16	18	3		
Title III—general authorization (excluding the National Institute for the Education of At-Risk Students):					
Authorization level		36			
Estimated outlays		15	18	3	
National Institute for the Education of At-Risk Students:					
Estimated authorization level		20	21	21	
Estimated outlays		9	19	21	12
National Institute for Innovation in Educational Governance and Management:					
Estimated authorization level			20	21	
Estimated outlays			9	19	12
National Institute for Early Childhood Education:					
Estimated authorization level			20	21	
Estimated outlays			9	19	12
National Institute for Student Achievement:					
Estimated authorization level			20	21	
Estimated outlays			9	19	12
National Institute for Post-Secondary Education, Libraries, and Lifelong Learning:					
Estimated authorization level			20	21	
Estimated outlays			9	19	12
Subsections (b)(2) through (g) of section 405C of the General Education Provisions Act:					
Estimated authorization level	17	18	19	19	
Estimated outlays	7	16	18	19	11
SMARTLINE:					
Estimated authorization level	5	5	5	6	
Estimated outlays	2	5	5	5	3
Electronic networking:					
Estimated authorization level	10	10	11	11	
Estimated outlays	4	9	10	11	6
Regional educational laboratories:					
Estimated authorization level	36	37	38	40	
Estimated outlays	15	34	38	39	23
Regional partnerships:					
Estimated authorization level	30	31	32	33	
Estimated outlays	13	28	31	32	19
America 2000 communities special assistance program:					
Estimated authorization level	30	50	52	53	
Estimated outlays	13	37	49	52	30
National library of education:					
Estimated authorization level	10	10	11	11	11
Estimated outlays	4	9	10	11	11
Bill total:					
Estimated authorization level	175	218	268	277	11
Estimated outlays	75	181	236	269	162

The costs of this bill fall in budget function 500.

Basis of estimate: Where an authorization level is stated in H.R. 4014 for the first year and such sums as may be necessary are authorized for later years, the later year authorizations are estimated by adjusting the stated level for projected inflation.

H.R. 4014 authorize appropriations of $37 million for fiscal year 1993 million for section 405B of the General Education Provisions Act (GEPA), Title III of this bill. This authorization would fund expenses of the National Research Institutes, research on assessment by the institutes and by a research and development center, coordination of research on overlapping issues, research on educational technology, research on teaching and teacher education, and an independent state-by state poll to determine how well schools have prepared students for further education or employment. For fiscal year 1994, $36 million would be authorized to be appropriated for the same purpose excluding the state-by-state poll and the National Institute for the Education of At-Risk Students, for which $20 million would be authorized to be appropriated for fiscal year 1994 and such sums as may be necessary for fiscal years 1995 and 1996.

The National Institute for Innovation in Educational Governance, Finance and Management, the National Institute for Early Childhood Development and Education, and the National Institute on Student Achievement are authorized appropriations of $20 million each for fiscal years 1995 and such sums as may be necessary for fiscal year 1996.

The National Institute for Post-Secondary Education, Libraries, and Lifelong Learning are authorized appropriations of such sums as may be necessary for fiscal years 1995 and 1996. Because its functions would be equivalent to the three institutes authorized at $20 million for 1995, CBO estimates the same levels for this institute.

H.R. 4014 would authorize $17 million to be appropriated for fiscal year 1993 and such sums as may be necessary for fiscal years 1994 through 1996 for the purposes of subsections (b)(2) through (g) of section 405C of GEPA, as amended by this bill. Of amounts appropriated under this authorization, at least $7,175,000 would be reserved for the educational resources information clearinghouses. The remainder would be spent on the duties and functions of the Office of Reform Assistance and Dissemination, including the identification of successful educational programs, the designation and dissemination of exemplary and promising educational programs, and dissemination of information to support school and classroom improvement through new technologies.

Other programs within the Office of Reform Assistance and Dissemination would have individual authorizations of appropriations at the following levels for fiscal year 1993 and such sums authorizations for fiscal years 1994 through 1996: $5 million for Sources of Materials and Research About Teaching and Learning for Improving Nationwide Education (SMARTLINE); $10 million for electronic networking and resource-sharing among educational institutions, educators, school administrators and parents; $36 million for regional educational laboratories; and $30 million for regional partnerships for teacher training.

Also within the Office of Reform Assistance and Dissemination, the America 2000 Communities Special Assistance Program would

be authorized at $30 million in fiscal year 1993, $50 million for 1994 and such sums as necessary for fiscal years 1995 and 1996.

Title V of H.R. 4014 would establish a National Library of Education. Based on a review of a Department of Education proposal for a national library, comparisons to the National Agricultural Library and the National Library of Medicine, and similarities to a national library proposed in the Senate OERI reauthorization bill, CBO estimates the costs of the library to be $10 million in fiscal year 1993 and this amount each year from 1994–1997 adjusted for future inflation.

Estimated outlays assume full appropriation of authorization levels and are based on historical spending patterns of similar existing programs.

6. Pay-as-you-go considerations: Section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 set up pay-as-you-go procedures for legislation affecting direct spending or receipts through 1995. Because this bill would not affect direct spending or receipts, there are no pay-as-you-go implications.

7. Estimated cost to State and local government: None.

8. Estimate comparison: None.

9. Previous CBO estimate: None.

10. Estimate prepared by: Joshua Leichter (226–2820).

11. Estimate approved by: C.G. Nuckols, Assistant Director for Budget Analysis.

Committee Estimate

With reference to the statement required by clause 7(a)(1) of rule XIII of the Rules of the House of Representatives, the committee accepts the estimate prepared by the Congressional Budget Office.

Inflationary Impact Statement

Pursuant to clause 2(l)(4) of rule XI of the Rules of the House of Representatives, the committee estimates that the enactment of H.R. 4014 will have no inflationary impact on prices and costs in the operation of the national economy. It is the judgment of the committee that the inflationary impact of this legislation as a component of the Federal budget is negligible.

Oversight Findings of the Committee

With reference to clause 2(l)(3)(A) of rule XI of the Rules of the House of Representatives, the committee's oversight findings are set forth in the Background and Need for Legislation section of this report. No additional oversight findings are applicable at this time.

Oversight Finding of the Committee on Government Operations

In compliance with clause 2(l)(3)(D) of rule XI of the Rules of the House of Representatives, no findings or recommendations by the Committee on Government Operations were submitted to the committee with reference to the subject matter specifically addressed in H.R. 4014.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

Section 1 establishes the bill's title, "Educational Research, Development, and Dissemination Excellence Act".

Section 2. Findings

Section 2 provides that the Congress finds that the majority of our public schools are failing and that school reform efforts alone will not allow us to achieve the national education goals; it establishes further that OERI must be central to the coordination, development dissemination and replication of ideas, strategies and interventions that will make a substantial difference to every student and school in America; it also provides that a new generation of institutions must be established to take on more proactive roles to accelerate the application of research knowledge to high priority areas; and it provides that a National Educational Research and Priorities Board must be established to ensure that OERI can function without partisan political interference.

Section 3. Table of contents

Section 3 sets out the table of contents.

TITLE I—GENERAL PROVISIONS REGARDING OFFICE OF EDUCATIONAL RESEARCH AND IMPROVEMENT (OERI)

Section 101. General provisions

Section 101 provides for the following:

a declaration of policy concerning the federal role in research, development and dissemination activities through fiscal year 1996; a clearly articulated mission for OERI which must be accomplished in collaboration with researchers, teachers, school administrators, parents, students, employers, and policymakers;

an administrative structure which includes the National Educational Research Policy and Priorities Board, the National Research Institutes, the National Education Dissemination System, the National Education Research Library, and the National Center for Education Statistics;

appointment authority to the Secretary for scientific or technical employees who may be employed, to exceed three years, without regard to the provisions of title 5 of the U.S. Code (governing appointment in competitive service), chapter 51 (relating to compensation), and subchapter III of chapter 53 (relating to classification and General Schedule Pay Rates);

publishing authority to the Assistant Secretary for producing information, reports, and documents without clearance or approval by the Secretary or any other office of the Department;

that a report be submitted annually by the Secretary, acting through the Assistant Secretary, which includes a description of the activities of each research institute and the national education dissemination system, and how the activities relate to the Research Policies and Priorities Plan developed by the Board, and information regarding personnel;

coordination activities by the Secretary, acting through the Assistant Secretary with the advice and assistance of the Board, which are designed to improve the coordination of education research, development, and dissemination and activities within the Department of Education and within the Federal government; a mandate that the Secretary to make a report to the President and the appropriate committees of Congress which identifies administrative and legislative changes necessary to improve these coordination activities;

definitions for the following new terms: at-risk student, Board, educational research, development, technical assistance, dissemination, national education dissemination system, Office, and national research institute; and

appropriations' authority as follows:

for the purpose of carrying out Section 405B, $37 million for FY '93; $36 million for FY '94;

for the purpose of carrying out the National Institute on the Education of At-Risk Students, $20 million for FY '94 and such sums as may be necessary for FY '95 and '96;

for the purpose of carrying out the National Institutes for Innovation in Educational Governance and management, Early Childhood Development and Education, and Student Achievement $20 million each for FY '95, and such sums as may be necessary for FY '96;

for the purpose of carrying out the National Institute for Postsecondary Education, Libraries, and Lifelong Learning such sums as may be necessary for FY '95 and FY '96;

for the purpose of carrying out the National Education Dissemination System $17 million for FY '93 and such sums as may be necessary for FY '94 through FY '96, requiring that of the amount appropriated for this section in any fiscal year, not less than $7.175 million shall be made available for the ERIC clearinghouses;

for the purpose of carrying out electronic networking $10 million for FY '93 and such sums as may be necessary for FY '94 through FY '96;

for the purpose of carrying out the Regional Educational Laboratories $36 million for FY '93 and such sums as may be necessary for FY '94 through FY '96, requiring that of the amounts appropriated by this section in any fiscal year, the Secretary shall obligate not less than 25% to carry out such purpose with respect to rural areas;

for the purpose of carrying out the Regional Partnerships for Teacher and Change Agents Program $30 million for FY '93 and such sums as may be necessary for FY '94 through FY '96;

for the purpose of carrying out the American 2000 Communities Special Assistance Program $30 million for FY '93, $50 million for FY '94, and such as may be necessary for FY '95 through FY '96;

of the amounts appropriated for the National Institutes and the National Education Dissemination System, 2 percent or $1 million, whichever is less, shall be reserved for

the National Educational Research Policy and Priorities Board;

of the amounts appropriated for the National Institutes and the National Education Dissemination System in any fiscal year, at least 95% must be available for grants, cooperative agreements, or contracts;

the appropriations are conditioned on the appointment of the Board within 180 days of the enactment;

restrictions apply to appropriations such that no funds appropriated for the National Institutes and the National Education Dissemination System may be used to support: research and development activities in the area of student assessment unless authorized, the development of content or student performance standards unless authorized, or the development of curricular frameworks by state education agencies or other entities except through the provision of support and technical assistance by the regional laboratories;

of the amounts appropriated for the National Institutes for FY '93, the Secretary shall award a $5 million grant (for a period not to exceed 5 years) for the purpose of conducting a State-by-State poll on the preparation of students for further education or employment.

Section 102. Assistant Secretary

Section 102 establishes statutory qualifications for the position of Assistant Secretary for Educational Research and Improvement and outlines the requirements for appointing a candidate to the position.

Section 103. Savings provision

Section 103 provides that contracts for the regional educational laboratories, education resources information clearinghouses, and research and development centers assisted under section 405 of the General Education Provisions Act on the date of the enactment of this Act shall remain in effect until the termination date of such contracts.

TITLE II—NATIONAL EDUCATIONAL RESEARCH POLICY AND PRIORITIES BOARD

Section 201. Establishment of Board

(a) This section establishes the National Educational Research Policy and Priorities Board (hereafter referred to as "The Board") within OERI.

(b) This section establishes further that the Board, acting through the Assistant Secretary shall be responsible for the following:

determine the priorities to guide the work of OERI, and provide guidance to the Congress in its oversight of OERI;

establish standards for the conduct and evaluation of all research, development, and dissemination carried out by OERI;

review and evaluate the implementation of its recommended priorities and policies by the Department and the Congress.

(c) The section provides for a Research Priorities Plan established requiring that the Board shall do the following:

survey and assess the state of knowledge in education research, development, and dissemination;

consult with the National Educations Goals Panel and other authorities on education;

solicit recommendations from education researchers, teachers, social administrators, parents, and others by convening periodic regional forums and through other means;

based on these recommendations, develop a research priorities program for the investment of OERI resources over the next 5-, 10-, and 15-year periods.

(d) The section provides for the minimum contents of the research and priorities plan.

(e) The section provides for the development of standards to govern the evaluation of research using, at a minimum, the contents stipulated, and allowing for public comment before the standards of conduct become effective.

(f) The section provides that the Board shall recommend to the President candidates for the position of Assistant Secretary and shall recommend to the Secretary candidates for the position of director of each of the research institutes.

(g) The section provides that the Board shall establish a standing subcommittee for each of the Institutes and for the Office of Reform Assistance and Dissemination to advise, assist, consult with and make recommendations to the Assistant Secretary, the Board, the Director of such entity, and the Congress on activities carried out by such entities.

(h) The section provides that the Board shall hire staff and establish procedures to govern its business; that it may also enter into contracts, review grants, contracts of arrangements made or entered into by OERI, convene workshops and conferences, and collect data.

(i) The section provides that members of the Board shall meet specified qualifications.

(j) The section provides for Secretarial Appointments such that the 20-member Board shall be appointed by the Secretary as follows: seven shall be appointed from among researchers in the field of education who have been nominated by the National Academy of Sciences (giving due consideration to recommendations made by the American Educational Research Association); four shall be classroom teachers; one shall be a Chief State School Officer; one shall be a local education agency superintendent or principal; one shall be a member of a State or local board of education; one shall be a professional librarian, school library media specialist, library administrator, or library science educator; one shall be a parent; one shall be an individual from the nonprofit foundation community; two shall be individuals from business and industry, and one shall be a State Governor.

(k) The section establishes requirements for nominations such that individuals who serve as an elected officer or employee may not be nominated to serve on the Board; it provides further that the Secretary may request additional nominations.

(l) The section provides for Ex Officio Members which include nine specified ex-officio, nonvoting members.

(m) The section provides for a Chair who shall be selected by the Board to serve 2 years.

(n) The section provides for the terms of office and meetings of the Board.

TITLE III—NATIONAL RESEARCH INSTITUTES

Section 301. Establishment of Institutes

This section provides for the establishment of five National Research Institutes: the National Institute for the Education in At-Risk Students; the National Institute for Innovation in Educational Governance, Finance, and Management; the National Institute for Early Childhood Development and Education; the National Institute on Student Achievement; and the National Institute for Post Secondary Education, Libraries, and Lifelong Learning.

The section prescribes that the Institutes shall be governed subject to the authorities and duties which follow:

each Institute shall be headed by a Director appointed for a four-year term by the Secretary from among persons nominated by the Board who have significant experience and expertise in the disciplines relevant to the purposes of the Institute;

the Secretary, acting through the Director of each Institute, is authorized to conduct the research, development, demonstration, and evaluation activities;

activites may be carried out directly or through grants, contracts, and cooperative agreements with institutions of higher education, public and private organizations, institutions, agencies, and individuals, including research and development centers (for not less than 6 and not more than 10 years, at not less than $2 million annually), public-private research partnerships (for which the Federal share shall be limited to not more than 50% of the total costs of the project), meritorious unsolicited proposals, that are specifically invited or requested by the Director on a competitive basis, and dissertation grants (not to exceed $20,000 for a period or not more than two years) to graduate students to do research in the field of education; through the provision of technical assistance; and through the award of fellowships to support graduate study in educational research by African-American, Hispanic, and other individuals from groups which have been traditionally underrepresented in the field of educational research;

the Secretary, acting through the Director of each Institute, is required to maintain an appropriate balance between applied and basic research; is required to significantly expand the role of field-initiated research in meeting the Nation's education research and development needs by reserving not less than 15% of the amounts available to each Institute in any fiscal year to support such research; and is required to provide for and maintain a stable foundation of long-term research and development on core issues and concerns conducted through university-based research and development centers by reserving not less than 30% of the amounts available to each Insti-

tute in any fiscal year to support such research and development centers;

the Secretary, acting through the Director of each Institute, shall establish and maintain targeted initiatives and programs to increase the participation in activities of each Institute of researchers and institutions who have been historically underutilized in Federal educational research activities;

the Secretary, acting through the Director of each Institute, is authorized to appoint such scientific or professional employees as may be necessary to accomplish the functions of the research institutes;

no grants, contracts, or cooperative agreements may be made without meeting specified requirements

guidelines are established under which certain grant and contract actions initiated by the Secretary will require review by the Board;

The section also provides for the following rational and duties of Institutes:

The National Institute for the Education of At-Risk Students is established to fulfill the need for emergency efforts to prevent the further decline in achievement of at-risk students. The Institute (to be established effective October 1, 1993) will carry out a coordinated and comprehensive program of research and development to provide nonpartisan, research-based leadership to the Nation as it seeks to improve educational opportunities for students who are at-risk for educational failure, particularly those that reside in innercity and rural areas and those of limited English proficiency.

The National Institute for Innovation in Education Governance, Finance, and Management is established to remedy the situation whereby many schools are ineffective and rely on notions of management and governance that may be outdated or insufficient for the challenges of the next century. The Institute (to be established effective October 1, 1994) will carry out a coordinated and comprehensive program of research and development to provide nonpartisan, research-based leadership to the Nation as it seeks to improve student achievement through school restructuring and reform.

The National Institute for Early Childhood Development and Education is established to fulfill the need to expand federal research and development efforts to improve early childhood education in order to reach the national education goal that all children should start school ready to learn. The Institute (to be established effective October 1, 1994) will support basic and applied research, compile existing research, develop effective models, and offer in-depth technical assistance to support States and communities in developing sound early childhood education policies and practices.

The National Institute on Student Achievement is established to help remedy Congress' findings that despite research suggesting better alternatives for how students are taught, classrooms are still dominated by textbooks, teacher lectures, and short answer activity sheets; while more students are gaining basic skills, fewer are demonstrating a grasp of higher-level

applications of those skills; the differences in performance between white and minority students remain unacceptably large; and little progress has been made in reducing gender performance gaps favoring males in mathematics and science and females in writing. The Institute (to be established effective October 1, 1994) will carry out a coordinated and comprehensive program of research and development to provide research-based leadership to the Nation as it seeks to improve student achievement in English, mathematics, science, history, geography, other subject areas, and across the boundaries of the subject areas.

The National Institute for Postsecondary Education, Libraries, and Lifelong Learning is established to address the need to strengthen the quality of postsecondary education; the need for more and higher quality programs of learning and training in the American workplace; the need to ensure that our correctional system has the means to equip those incarcerated with knowledge and skills they will need to participate productively in society; and the need to develop a "Nation of Students" capable of and committed to the pursuit of formal and informal lifelong learning in order to sustain both national and individual economic success. The Institute (to be established effective October 1, 1994 will carry out a program of research and development and promote greater coordination of Federal research and development in providing nonpartisan, research-based leadership to the Nation as it seeks to improve postsecondary education, libraries, and lifelong learning.

The section also provides for research on assessment by authorizing a comprehensive, coordinated program of research and development in the area of assessment to be carried out by each of the Research Institutes and a Research and Development Center which will be jointly funded by all of the Institutes. It specifies the functions of the Center and the conditions and criteria under which the program will operate.

The section provides the Secretary, acting through the Assistant Secretary, the authority to promote the coordination of research and development activities among the Institutes to investigates cross-cutting disciples and areas of inquiry (e.g., assessment, the use of technology, and the training of teachers and school administrators) which are relevant to the missions of more than one of the Institutes through cooperative agreements between or among one or more of the Institutes, the National Center for Education Statistics, or any research and development entity administered by other offices of the Department of Education or by any other Federal agency or Department.

The section provides for a "Program on Teaching and Teacher Education" which shall be a comprehensive, coordinated program of research in the area of teaching and teacher education to be carried out by each of the Research Institutes (including through research centers and field-initiated grants).

The section requires the Assistant Secretary to undertake a comprehensive, coordinated program of research and development in the uses and applications of technology in education. The program will be carried out by each of the Institutes and a Research and

Development Center supported through a memorandum of understanding among each of the Institutes. It will include basic and applied research, development, policy analysis, and evaluation in specified areas. It will be coordinated with related research and development activities under the Office of Special Education Programs, the National Science Foundation, the Department of Defense, and other Federal agencies.

The section requires the Secretary to reorganize the research and development functions and activities of OERI into administrative units, the purposes of which shall be the same as those for each of the National Research Institutes. Each administrative unit shall be responsible for planning and providing for the establishment of such Institutes and shall cease to exist on the dates upon which each of the relevant institutes is established.

TITLE IV—NATIONAL EDUCATION DISSEMINATION SYSTEM

Section 401. Establishment within the Office of Educational Research and Improvement

Section 401 creates a national system of dissemination, development, and school improvement in order to create, adapt, identify, validate, and disseminate to educators, parents, and policymakers those educational programs (includes educational policies, practices, and products) that have been shown to improve educational opportunities for all students.

This section also establishes an Office of Reform Assistance and Dissemination (hereafter referred to as the "Dissemination Office") through which the Secretary shall carry out the dissemination functions and activities (including the identification, selection, and dissemination of exemplary or promising education programs, the provision of technical and financial assistance to individuals and organizations in the process of developing promising educational programs, and the provision of training and technical assistance to interested entities regarding the implementation and adoption of exemplary and promising programs).

The section prescribes additional duties including administering the functions and activities of the educational resources information clearinghouses, dissemination through new technology, SMARTLINE, the Electronic Networking and Resource Sharing for School Improvement Program, the regional educational laboratories, the America 2000 Communities Special Assistance Program, and the existing National Diffusion Network and its Developer-Demonstrator and State Facilitator projects.

Identification of programs

The section requires that the Secretary establish a process through which successful education programs are actively sought out for possible dissemination through the National Education Dissemination System.

Priority programs

The section requires that the Secretary place a priority on identifying programs, products, and practices related to the priority research and development needs in Section 405(b)(3).

Designation of exemplary and promising programs

The section requires that the Secretary, in consultation with the Board, establish one or more panels of appropriately qualified experts and practitioners to evaluate promising educational programs and make appropriate recommendations to the Secretary.

Dissemination of exemplary and promising programs

The section requires that the Secretary ensure that programs which are designated as exemplary are available for adoption by the greatest number of teachers, schools and local and State agencies by utilizing the capabilities of the education resources information clearinghouses, SMARTLINE, the regional educational laboratories, the National Diffusion Network, entities established under the America 2000 Special Assistance Program, technical assistance centers established under Chapter 1, the National Library of Education, and other public and private nonprofit entities.

Education resources information clearinghouses

This section requires that the Secretary establish a system of 16 education resource information clearinghouses having, at a minimum, the same functions and scope of work as the clearinghouses had on the date of enactment of the Act.

It requires further that the Secretary ensure that all reports produced by grant or contract with the Department shall be made available to the clearinghouses.

It requires that the Secretary establish cooperative agreements with the Departments of Defense, Health and Human Services, and other Federal agencies to assure that all education-related reports, studies, and other resources produced directly or by grant or contract with the Federal Government are made available to the clearinghouses.

It requires that no clearinghouse or other entity receiving assistance may copyright or otherwise charge a royalty or other fee for the use or redissemination of any database, index, abstract, report, or other information produced with assistance under this subsection.

Dissemination through new technologies

This section authorizes the Assistant Secretary to award grants to support the development of materials, programs, and resources which utilize new technologies and techniques to synthesize and disseminate research and development findings and other information which can be used to support school and classroom improvement.

Sources of material and research about teaching and learning for improving nationwide education (SMARTLINE)

This section provides that the Assistant Secretary, acting through the Office of Reform Assistance and Dissemination, shall establish and maintain an electronic network which shall, at a minimum, link each office of the Department of Education, the Research Institutes, the National Center for Education Statistics, the National Library of Education, and entities engaged in research,

development, dissemination, and technical assistance under grant, contract, or cooperative agreement with the Department of Education.

Electronic networking and resource-sharing for school improvement

This section gives the Assistant Secretary authority to make grants to State educational agencies for the purposes of expanding and improving the use of electronic networking and for resource sharing among educational institutions, educators, school administrators, and parents throughout the Nation.

Regional education laboratories

This section provides that the Secretary shall enter into contracts with public or private nonprofit entities to establish a networked system of 10 Regional Educational Laboratories to serve the needs of each region of the Nation. It provides further that each Regional Educational Laboratory will assist State education agencies, intermediate education agencies and local school districts in implementing broad-based, systemic school improvement strategies through the use of applied research and development activities.

The section also provides that Regional Educational Laboratories shall support such system-wide reform efforts through the dissemination of information about programs designated as exemplary and promising and other appropriate programs, and practices; shall provide technical assistance; shall assist the development of educational programs and practices that address State or regional needs in relation to their school reform efforts; and shall provide support and technical assistance (upon their request) to State Facilitators funded through the National Diffusion Network.

The section provides that in order to improve the efficiency and effectiveness of the Regional Laboratories, the governing boards of the ten Regional Laboratories shall establish and maintain a network to share information on activities; shall plan joint activities to meet the needs of multiple regions; shall create a strategic plan for developing activities to reduce redundancy and increase collaboration and resource-sharing; and shall devise means by which the individual laboratories could serve national as well as regional needs.

The section specifies requirements for representative governing boards, coordination of activities with the institutes and other entities established under this section, allocation of resources for services to and within each State, and periodic evaluations.

America 2000 communities special assistance program

The section provides that a program be designed to provide targeted field-based technical assistance to the Nation's most impoverished urban and rural communities to enable them to achieve the national education goals and other objectives for educational improvement through the continuous, intensified application and utilization of the results of educational research.

The section authorizes the Secretary to make grants to eligible entities for the establishment of Learning Grant Institutions and

District Education Agents within eligible communities to administer the America 2000 Communities Special Assistance Program. The bill defines "eligible entities" and "eligible communities".

The section provides that each Learning Grant Institution (LGI) will assist in the development of a comprehensive America 2000 plan for assuring educational success for all students in the community, including the adoption of the six national educational goals, the identification of additional needs and goals for educational improvement within the community, the establishment of a comprehensive community-wide plan for achieving such goals, and the development of mechanisms to measure the progress of the community in meeting such goals for improvement. It provides that each LGI, utilizing the District Education Agent, will provide assistance in implementing the community-wide plan for educational improvement.

The section specifies application grant requirements, priority in making grants, contingent authority in the event that no eligible entity submits an application, and detailed provisions related to technical assistance and evaluations.

The section also authorizes the program, Regional Partnerships for Teacher Change Agents. It provides that the Assistant Secretary shall enter into contracts with regional educational laboratories, in partnership with one or more institutions of higher education, the National Diffusion Network, and other entities to carry out programs of teacher training on the use of education research.

TITLE V—NATIONAL LIBRARY OF EDUCATION

Section 501. Establishment within OERI

Section 501 establishes a National Library of Education (hereafter referred to as "The Library") within OERI to be maintained as a governmental activity. It requires that the Library serve as the central location within the Federal Government for information about education; it requires that comprehensive reference services (on matters related to education) be made available through the Library to employees of the Department of Education, other Federal employees, and members of the public; and it requires that the Library be used to promote greater cooperation and resource sharing among providers and repositories of education information in the United States.

One-stop information and referral service

This section provides that the Library shall establish and maintain a central information and referral service to respond to telephonic, mail, electronic and other inquiries from the public concerning Department of Education programs and activities, Department of Education publications, education-related publications produced by the Departments of Labor, Health and Human Services, and other Federal agencies, services and resources available through OERI, statistics and other information produced by the National Center for Education Statistics, and referrals to additional sources of information and expertise about educational issues.

The section provides further that within the Library there shall be maintained and actively publicized a tool-free telephone number through which public inquiries to the Library may be made.

Administration and transfer of functions

This section provides that the Library shall be administered by an Executive Director who shall be appointed by the Assistant Secretary from among persons with significant training or experience in Library and Information Science.

The section provides for the transfer of all functions of the Department of Education Research Library, the Department of Education Reference Section, and the Department of Education Information Branch.

The section requires that the Executive Director, shall within 90 days of this enactment, promulgate a comprehensive collection development policy to govern the Library's operations, acquisitions, and services to users. It requires further that on the basis of the collection development policy, the Executive Director shall develop a multiyear plan which sets forth goals and priorities concerning arrearage of uncatalogued books and other materials and preservation needs of the collection.

TITLE VI—LEADERSHIP FOR EDUCATIONAL TECHNOLOGY

Section 601. Responsibilities of the Secretary

Section 601 requires the Secretary to promote and facilitate the expansion of and improvements in the use of technology in education throughout the Nation by: (1) designating a Department official to coordinate all activities of the Department and inter-agency initiatives; (2) ensuring that each Department program makes full and effective use of technology to achieve its objectives; (3) working with the Federal Communications Commission, National Science Foundation, Department of Commerce, and other Federal, State, and local government agencies to ensure that national telecommunication policies address the needs and goals of educational agencies; (4) working with the Department of Defense and other Federal agencies to facilitate the adaptation and transfer of education and training software for use by educational institutions throughout the Nation; (5) supporting and encouraging cooperative efforts to develop compatibility and other technical standards for technology used by educational agencies; (6) promoting partnerships between business and education to expand and improve the use of technology in education; (7) ensuring that there are sufficient Department personnel with expertise in the uses and applications of technology in education.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

GENERAL EDUCATION PROVISIONS ACT

* * * * * * *

PART A—EDUCATION DIVISION OF THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

* * * * * * *

[OFFICE OF EDUCATIONAL RESEARCH AND IMPROVEMENT

[SEC. 405. (a)(1). The Congress declares it to be the policy of the United States to provide to every individual an equal opportunity to receive an education of high quality regardless of his race, color, religion, sex, age, handicap, national origin, or social class. Although the American educational system has pursued this objective, it has not attained the objective. Inequalities of opportunity to receive high quality education remain pronounced. To achieve the goal of quality education requires the continued pursuit of knowledge about education through research, improvement activities, data collection, and information dissemination. While the direction of American education remains primarily the responsibility of State and local governments, the Federal Government has a clear responsibility to provide leadership in the conduct and support of scientific inquiry into the educational process.

[(2) The Congress further declares it to be the policy of the United States to—

[(A) promote the quality and equity of American education,

[(B) advance the practice of education as an art, science, and profession;

[(C) support educational research of the highest quality;

[(D) strengthen the educational research and development system;

[(E) improve educational techniques and training;

[(F) assess the national progress of this Nation's schools and educational institutions, particularly special populations; and;

[(G) collect, analyze, and disseminate statistics and other data related to education in the United States and other nations.

[(3) For purposes of this section—

[(A) the term "Assistant Secretary" means the Assistant Secretary for Educational Research and Improvement established by section 202 of the Department of Education Organization Act;

[(B) the term "Council" means the National Advisory Council on Educational Research and Improvement established by subsection (c);

[(C) the term "educational research" includes basic and applied research, development, planning, surveys, assessments, evaluations, investigations, experiments, and demonstrations in the field of education and other fields relating to education;

[(D) the term "Office" means the Office of Educational Research and Improvement established by section 209 of the Department of Education Organization Act; and

[(E) the terms "United States" and "State" include the District of Columbia and the Commonwealth of Puerto Rico.

[(b)(1) It shall be the purpose of the Office to carry out the policies set forth in subsection (a) of this section. The Office shall be administered by the Assistant Secretary and shall include—

[(A) the National Advisory Council on Educational Research and Improvement established in subsection (c);

[(B) the Center for Education Statistics established by section 406; and

[(C) such other units as the Secretary deems appropriate to carry out the purposes of the Office.

[(2) The Office shall, in accordance with the provisions of this section, seek to improve education in the United States through concentrating the resources of the Office on the priority research and development needs described in paragraph (3).

[(3) The needs to which paragraph (2) apply are—

[(A) improving student achievement;

[(B) improving the ability of schools to meet their responsibilities to provide equal educational opportunities for all students, including those with limited English-speaking ability, women, older students, part-time students, minority students, gifted and talented students, handicapped students, and students who are socially, economically, or educationally disadvantaged;

[(C) collecting, analyzing, and disseminating statistics and other data related to education in the United States and other nations;

[(D) improving the dissemination and application of knowledge obtained through educational research and data gathering, particularly to education professionals and policy makers;

[(E) encouraging the study of the sciences, the arts, and the humanities, including foreign languages and cultures;

[(F) improving the data base of information on special populations and their educational status;

[(G) conducting research on adult educational achievement, particularly literacy and illiteracy as it affects employment, crime, health, and human welfare;

[(H) conducting research on postsecondary opportunities, especially access for minorities and women; and

[(I) conducting research on education professionals, especially at the elementary and secondary levels including issues of recruitment, training, retention, and compensation.

[(4) The Secretary shall publish proposed research priorities in the Federal Register every two years, not later than October 1, and shall allow a period of sixty days for public comments and suggesions.

[(c)(1) The Council shall consist of fifteen members appointed by the President, by and with the advice and consent of the Senate. In addition, there shall be such ex officio members who are officers of the United States as the President may designate, including the Assistant Secretary. A majority of the appointed members of the Council shall constitute a quorum. The Chairman of the Council shall be designated by the President from among the appointed members. Ex officio members shall not have a vote on the Council.

The members of the Council shall be appointed to ensure that the Council is broadly representative of the general public; the education professions, including practitioners; policymakers and researchers; and the various fields and levels of education.

[(2)(A) Except as provided in subparagraph (B), members shall be appointed to terms of three years.

[(B) Of the members first appointed—

[(i) five shall be apointed for terms of one year;

[(ii) five shall be appointed for terms of two years; and

[(iii) five shall be appointed for terms of three years;

as designated by the President at the time of appointment.

[(C) Any member appointed to fill a vacancy occurring before the expiration of the term for which the predecessor was appointed shall be appointed only for the remainder of such term. A member may serve after the expiration of a term until a successor has taken office.

[(D) An appointed member who has been a member of the Council for six consecutive years shall be ineligible for appointment to the Council during the two-year period following the expiration of the sixth year.

[(3) The Council shall—

[(A) advise the Secretary and the Assistant Secretary on the policies and activities carried out by the Office;

[(B) review and publicly comment on the policies and acitvities of the Office;

[(C) conduct such activities as may be necessary to fulfill its functions under this subsection;

[(D) prepare such reports to the Secretary on the activities of the Office as are appropriate; and

[(E) submit, no later than March 31 of each year, a report to the President and the Congress on the activities of the Office, and on education, educational research, and data gathering in general.

[(d)(1) In order to carry out the objectives of the Office under this section, the Secretary within the limits of available resources shall—

[(A) conduct educational research;

[(B) collect, analyze, and disseminate the findings of education research;

[(C) train individuals in educational research;

[(D) assist and foster such research, collection, dissemination, and training through grants, cooperative agreements, and technical assistance;

[(E) promote the coordination of educational research and research support within the Federal Government and otherwise assist and foster such research; and

[(F) collect, analyze, and disseminate statistics and other data related to education in the United States and other nations.

[(2)(A) The Secretary may appoint, for terms not to exceed three years (without regard to the provisions of title 5 of the United States Code governing appointment in the competitive service) and may compensate (without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classifica-

tion and General Schedule pay rates) such scientific or professional employees of the Office as the Secretary considers necessary to accomplish its functions. The Secretary may also appoint and compensate not more than one-fifth of the number of full-time, regular scientific or professional employees of the Office without regard to such provisions. The rate of basic pay for such employees may not exceed the maximum annual rate of pay for grade GS-15 under section 5332 of title 5 of the United States Code, except that the pay of any employee employed before the date of enactment of the Higher Education Amendments of 1986 shall not be reduced by application of such maximum pay limitation.

[(B) The Secaretary may reappoint employees described in subparagraph (A) upon presentation of a clear and convincing justification of need, for one additional term not to exceed three years. All such employees shall work on activities of the Office and shall not be reassigned to other duties outside the Office during their term.

[(C) Individuals who are employed on the date of enactment of this Act and were employed by such Office on April 1, 1986, and who were employed under excepted hiring authority provided by section 209 of the Department of Education Organization Act or this section may continue to be employed for the duration of their current term.

[(3)(A) The Secretary may carry out the activities in paragraph (1)—

[(i) directly;

[(ii) through grants, contracts, and cooperative agreements with institutions of higher education, public and private organizations, institutions, agencies, and individuals; and

[(iii) through the provision of technical assistance.

[(B) When making competitive awards under this subsection, the Secretary shall—

[(i) solicit recommendations and advice regarding research priorities, opportunities, and strategies from qualified experts, such as education professionals and policymakers, personnel of the regional education laboratories and of the research and development centers supported under paragraph (4), and the Council, as well as parents and other members of the general public;

[(ii) employ suitable selection procedures utilizing the procedures and principles of peer review, except where such peer review procedures are clearly inappropriate given such factors as the relatively small amount of a grant or contract or the exigencies of the situation; and

[(iii) determine that the activities assisted will be conducted efficiently, will be of high quality, and will meet priority research and development needs under this section.

[(C) Whenever the Secretary enters into a cooperative agreement under this section, the Secretary shall negotiate any subsequent modifications in the cooperative agreement with all parties to the agreement affected by the modifications.

[(4)(A) In carrying out the functions of the Office, the Secretary shall, in accordance with the provisions of this subsection, support—

[(i) regional educational laboratories established by public agencies or private nonprofit organizations to serve the needs of a specific region of the Nation under the guidance of a regionally representative governing board, the regional agendas of which shall, consistent with the priority research and development needs established by subsection (b) (2) and (3), be determined by the governing boards of such labs;

[(ii) research and development centers established by institutions of higher education, by institutions of higher education in consort with public agencies or private nonprofit organizations, or by interstate agencies established by compact which operate subsidiary bodies established to conduct postsecondary educational research and development;

[(iii) meritorious unsolicited proposals for educational research and related activities that are authorized by this subsection; and

[(iv) proposals that are specifically invited or requested by the Secretary, on a competitive basis, which meet objectives authorized by this subsection.

[(B) Prior to awarding a grant or entering into a contract for a regional educational laboratory or research and development center under subparagraph (A)(i) or (A)(ii), the Secretary shall invite applicants to compete for such laboratories and centers through notice published in the Federal Register.

[(C) Each application for assistance under subparagraph (A) (i) or (ii) as a regional educational laboratory or a research and development center shall contain such information as the Secretary may reasonably require, including assurances that the applicant will—

[(i) be responsible for the conduct of the research and development activities;

[(ii) prepare a long-range plan relating to the conduct of such research and development activities;

[(iii) ensure that information developed as a result of such research and development activities, including new educational methods, practices, techniques, and products, will be appropriately disseminated;

[(iv) provide technical assistance to appropriate educational agencies and institutions; and

[(v) to the extent practicable, provide training for individuals, emphasizing training opportunities for women and members of minority groups, in the use of new educational methods, practices, techniques, and products developed in connection with such activities.

[(D) No grant may be made and no contract entered into for assistance described under subparagraph (A) (i) or (ii) unless—

[(i) proposals for assistance under this subsection are solicited from regional educational laboratories and research and development centers by the Office;

[(ii) proposals for such assistance are developed by the regional educational laboratories and the research and development centers in consultation with the Office; and

[(iii) the Office determines that the proposed activities will be consistent with the education research and development

program and dissemination activities which are being conducted by the Office.

[(E) No regional educational laboratory or research and development center receiving assistance under this subsection shall, by reason of the receipt of that assistance, be ineligible to receive any other assistance from the Office authorized by law.

[(F) The Secretary shall make available adequate funds to support meritorious, unsolicited proposals as described under subparagraph (A)(iii), and provide sufficient notice of the availability of such funds to individual researchers in all regions of the country.

[(5) The Secretary, from funds appropriated under this section, may establish and maintain research fellowships in the Office, for scholars, researchers, and statisticians engaged in the collection and dissemination of information about education and educational research. Subject to regulations published by the Secretary, fellowships may include such stipends and allowance, including travel and subsistence expenses provided for under title 5, United States Code, as the Secretary considers appropriate.

[(6) The Secretary may award grants to institutions of higher education, including technical and community colleges as appropriate, to assess the new and emerging specialties and the technologies, academic subjects, and occupational areas requiring vocational education, with emphasis on the unique needs for preparing an adequate supply of vocational teachers of handicapped students. The Secretary shall give special consideration to the preparation required to teach classrooms of handicapped, or other highly targeted groups of students, in combination with other nonhandicapped or other nontargeted students, within the same vocational education setting.

[(e)(1) There are authorized to be appropriated to carry out this section, $72,231,000 for fiscal year 1987 and such sums as may be necessary for each of the four succeeding fiscal years.

[(2) The Secretary may not enter into a contract for the purpose of regional educational laboratories under subsection (d)(3)(A)(i) for a period in excess of five years.

[(3) Not less than 95 per centum of funds appropriated pursuant to this subsection for any fiscal year shall be expended to carry out this section through grants, cooperative agreements, or contracts.

[(4) When more than one Federal agency uses funds to support a single project under this section, the Office may act for all such agencies in administering those funds.

[(f)(1) In each fiscal year for which the total amount appropriated to carry out this section and section 406 of this Act equals or exceeds the total amount appropriated for fiscal year 1986 to carry out such sections—

[(A) not less than $17,760,000 shall be available in each fiscal year to carry out subsection (d)(4)(A)(ii) of this section (relating to centers);

[(B) not less than $17,000,000 shall be available in each fiscal year to carry out subsection (d)(4)(A)(i) of this section (relating to labs);

[(C) not less than $5,700,000 shall be available in each fiscal year to assist a separate system of 16 education resources information clearinghouses (including direct supporting dissemi-

nation services) pursuant to subsection (d)(3)(A) of this section, having the same functions and scope of work as the clearinghouses had on the date of enactment of the Higher Education Amendments of 1986;

[(D) Not less than $9,500,000 for the fiscal year 1989, and such sums as may be necessary for each of the fiscal years 1990 through 1993, shall be available to carry out section 406(i) of this Act (relating to the National Assessment of Education Progress);

[(E) not less than $8,750,000 shall be available in each fiscal year to carry out section 406 of this Act, except for subsection (i) of that section (relating to the Center for Educational Statistics); and

[(F) not less than $500,000 shall be available in each fiscal year to carry out subsection (d)(4)(A)(iii) of this section (relating to field initiated research).

[(2) If the sums appropriated for any fiscal year are less than the amount required to be made available under subparagraphs (A) through (F) of paragraph (1), then each of the amounts required to be made available under such subparagraphs shall be ratably reduced. If additional amounts become available for any such fiscal year, such reduced amounts shall be increased on the same basis as they were reduced.]

OFFICE OF EDUCATIONAL RESEARCH AND IMPROVEMENT

SEC. 405. (a) DECLARATION OF POLICY REGARDING EDUCATIONAL OPPORTUNITY.—

(1) IN GENERAL.—The Congress declares it to be the policy of the United States to provide to every individual an equal opportunity to receive an education of high quality regardless of race, color, religion, sex, age, disability, national origin, or social class. Although the American educational system has pursued this objective, it has not attained the objective. Inequalities of opportunity to receive high quality education remain pronounced. To achieve the goal of quality education requires the continued pursuit of knowledge about education through research, development, improvement activities, data collection, and information dissemination. While the direction of American education remains primarily the responsibility of State and local governments, the Federal Government has a clear responsibility to provide leadership in the conduct and support of scientific inquiry into the educational process.

(2) MISSION OF OFFICE.—

(A) The mission of the Office of Educational Research and Improvement shall be to provide national leadership in—

(i) expanding fundamental knowledge and understanding of education;

(ii) promoting excellence and equity in education; and

(iii) monitoring the state of education.

(B) The mission of the Office shall be accomplished in collaboration with researchers, teachers, school administrators, parents, students, employers, and policymakers.

(b) PURPOSE AND STRUCTURE OF OFFICE.—

(1) IN GENERAL.—The Secretary, acting through the Office of Educational Research and Improvement, shall carry out the policies set forth in subsection (a). In carrying out such policies, the Secretary shall be guided by the priorities established by the National Educational Research Policy and Priorities Board established in section 405A.

(2) ADMINISTRATIVE STRUCTURE.—The Office shall be administered by the Assistant Secretary and shall include—

(A) the National Educational Research Policy and Priorities Board established by section 405A;

(B) the national research institutes established by section 405B;

(C) the national education dissemination system established by section 405C;

(D) the National Education Research Library established by section 405D;

(E) the National Center for Education Statistics established by section 406; and

(F) such other units as the Secretary deems appropriate to carry out the purposes of the Office.

(3) PRIORITIES IN RESEARCH AND DEVELOPMENT.—The Office shall, in accordance with the provisions of this section, seek to improve education in the United States through concentrating the resources of the Office on the following priority research and development needs:

(A) The education of at-risk students.

(B) The education and development of young children.

(C) Student achievement in core subject areas through elementary and secondary school.

(D) Postsecondary education, libraries, and lifelong learning for adults.

(E) The improvement of schools through the restructuring and reform of school governance, policymaking, finance and management at the State, local, school building, and classroom level.

(c) APPOINTMENT OF EMPLOYEES.—

(1) IN GENERAL.—The Secretary may appoint, for terms not to exceed three years (without regard to the provisions of title 5 of the United States Code governing appointment in the competitive service) and may compensate (without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates) such scientific or technical employees of the Office as the Secretary considers necessary to accomplish its functions, provided that—

(A) at least 60 days prior to the appointment of any such employee, public notice is given of the availability of such position and an opportunity is provided for qualified individuals to apply and compete for such position;

(B) the rate of basic pay for such employees does not exceed the maximum rate of basic pay payable for positions above GS–15, as determined in accordance with section 5376 of title 5, United States Code;

(C) the appointment of such employee is necessary to provide the Office with scientific or technical expertise which could not otherwise be obtained by the Office through the competitive service;

(D) the total number of such employees does not exceed one-fifth of the number of full-time, regular scientific or professional employees of the Office.

(2) REAPPOINTMENT OF EMPLOYEES.—The Secretary may reappoint employees described in paragraph (1) upon presentation of a clear and convincing justification of need, for one additional term not to exceed 3 years. All such employees shall work on activities of the Office and shall not be reassigned to other duties outside the Office during their term.

(d) AUTHORITY TO PUBLISH.—

(1) IN GENERAL.—The Assistant Secretary is authorized to prepare and publish such information, reports,and documents as may be of value in carrying out the purposes of sections 405 through 405D without further clearance or approval by the Secretary or any other office of the Department.

(2) QUALITY ASSURANCE.—In carrying out such authority, the Assistant Secretary shall—

(A) establish such procedures as may be necessary to assure that all reports and publications issued by the Office are of the highest quality; and

(B) provide other offices of the Department with an opportunity to comment upon any report or publication prior to its publication when its contents relate to matters for which such office has responsibility.

(e) ANNUAL REPORT ON ACTIVITIES OF OFFICE.—The Secretary, acting through the Assistant Secretary, shall transmit to the President and the Congress by not later than December 30 of each year an annual report which shall consist of—

(1) a description prepared by the Director of each research institute of the activities carried out by and through such institute during the fiscal year for which such report is prepared and any recommendations and comments regarding such activities as the Director considers appropriate;

(2) a description of the activities carried out by and through the national education dissemination system established by section 405C during the fiscal year for which such report is prepared and any recommendations and comments regarding such activities as the Secretary considers appropriate;

(3) such written comments and recommendations as may be submitted by the Board concerning the activities carried out by and through each of the institutes and the national education dissemination system during the fiscal year for which such report is prepared and how such activities relate to the Research Policies and Priorities Plan developed by the Board;

(4) a report on the personnel of the Office which shall set forth the number of employees of the Office, provide informa-

tion concerning the gender, race, and civil service classification of such employees, and describe any personnel vacancies or projected future personnel needs of the Office;

(5) a description of any technical or other assistance the Office has provided to the New American Schools Development Corporation (a nonprofit private organization incorporated under the law of the State of Virginia) during the fiscal year for which such report is prepared and an estimate of the aggregate cost (in cash or in kind) to the Federal Government of such assistance; and

(6) such additional comments, recommendations, and materials that the Secretary considers appropriate.

(f) COORDINATION.—With the advice and assistance of the Board, the Secretary, acting through the Assistant Secretary, shall establish and maintain an ongoing program of activities designed to improve the coordination of education research, development, and dissemination and activities within the Department and within the Federal Government, particularly within the priority research and development needs identified in section 405(b)(3), in order to—

(1) minimize duplication in education research, development, and dissemination carried out by the Federal Government;

(2) maximize the value of the total Federal investment in education research, development, and dissemination; and

(3) enable all entities engaged in education research, development, and dissemination within the Federal Government to interact effectively as partners and take full advantage of the diverse resources and proficiencies which each entity has available.

(g) ACTIVITIES REQUIRED WITH RESPECT TO COORDINATION.—In carrying out such program of coordination, the Secretary shall—

(1) not later than 12 months following the date of the enactment of the Educational Research, Development, and Dissemination Excellence Act, make a report to the President and the appropriate committees of Congress which shall identify administrative and legislative changes necessary to improve the coordination of education research, development, and dissemination activities within the Department of Education, particularly within the priority research and development needs identified in section 405(b)(3), and to enable greater interaction among all entities engaged in such activities, including (but not limited to)—

(A) State facilitators and other entities supported by the National Diffusion Network;

(B) evaluation assistance centers and multifunctional source centers established by the Office of Bilingual Education and Minority Language Affairs;

(C) research and development entities administered by the Office of Special Education programs;

(D) the National Center for Research in Vocational Education;

(E) regional centers established under section 5135 of the Drug-Free Schools and Communities Act of 1986;

(F) chapter 1 technical assistance centers;

(G) the research institutes established by section 405B;

(H) national education research centers;

(I) the Women's Educational Equity Act Publishing Center;

(J) the Desegregation Assistance Centers;

(K) the Office for Civil Rights dissemination activities; and

(L) the national education dissemination system established by section 405C; and

(2) not later than two years following the date of the enactment of the Educational Research, Development, and Dissemination Act—

(A) compile (and thereafter regularly maintain) and make available a comprehensive inventory of all education research, development, dissemination activities, and expenditures being carried out by the Federal Government within the priority research and development needs identified in section 405(b)(3); and

(B) make a report to the President and the appropriate committees of the Congress which shall identify administrative and legislative changes necessary to improve the coordination of all education research, development, and dissemination activities carried out within the Federal Government, particularly within the priority research and development needs identified in section 405(b)(3), and to enable greater interaction and exchange of information among all entities engaged in such activities, including—

(i) the Department of Defense;

(ii) the Department of Health and Human Services;

(iii) the Department of Agriculture;

(iv) the Department of Energy;

(v) the Department of Housing and Urban Development;

(vi) the Department of the Interior;

(vii) the Department of Justice;

(viii) the Department of Labor;

(ix) the Department of Transportation;

(x) the Department of Veterans Affairs;

(xi) the Environmental Protection Agency;

(xii) the National Aeronautics and Space Administration;

(xiii) the Smithsonian Institution;

(xiv) the White House Office of Science and Technology Policy; and

(xv) the National Science Foundation.

(h) DEFINITIONS.—For purposes of this section and sections 405A through 405D:

(1) The term "Assistant Secretary" means the Assistant Secretary for Educational Research and Improvement established by section 202 of the Department of Education Organization Act.

(2) The term "at-risk student" means a student who, because of limited English proficiency, poverty, geographic location, or educational or economic disadvantage, faces a greater risk of low educational achievement and has greater potential for dropping out of school.

(3) The term "Board" means the National Educational Research Policy and Priorities Board established by section 405A.

(4) The term "educational research" includes basic and applied research, development, planning, surveys, assessments, evaluations, investigations, experiments, and demonstrations in the field of education and other fields relating to education.

(5) The term "development"—

(A) means the systematic use, adaptation, and transformation of knowledge and understanding gained from research to create alternatives, policies, products, methods, practices, or materials which can contribute to the improvement of educational practice; and

(B) includes the design and development of prototypes and the testing of such prototypes for the purposes of establishing their feasibility, reliability, and cost-effectiveness.

(6) The term "technical assistance" means the provision of external assistance to facilitate the adoption or application of the knowledge gained from educational research and development and includes—

(A) problem analysis and diagnosis;

(B) assistance in finding, selecting, or designing suitable solutions and approaches to problems;

(C) training in the installation and implementation of products, programs, policies, practices, or technologies; and

(D) such other assistance as may be necessary to encourage the adoption or application of such knowledge.

(7) The term "dissemination" means the transfer of knowledge and products gained through research and includes—

(A) the use of communication techniques to increase awareness of such knowledge and products;

(B) the provision of comparative and evaluative information necessary to enable educators, school administrators, and others to assess and make informed judgments about the relevance and usefulness of such knowledge and products in specific settings;

(C) the provision of support needed to adapt, apply, and utilize such knowledge and products in specific educational settings.

(8) The term "national education dissemination system" means the activities carried out by the Office of Reform Assistance and Dissemination established by section 405C.

(9) The term "Office" means the Office of Educational Research and Improvement established in section 209 of the Department of Education Organization Act.

(10) The term "national research institute" means an institute established in section 405B.

(11) The terms "United States" and "State" include the District of Columbia and the Commonwealth of Puerto Rico.

(i) AUTHORIZATION OF APPROPRIATIONS.—

(1) NATIONAL INSTITUTES.—

(A)(i) For the purpose of carrying out section 405B, there is authorized to be appropriated $37,000,000 for fiscal year 1993.

(ii) For the purpose of carrying out section 405B (other than the provisions of such section relating to the National Institute for the Education of At-Risk Students), there is authorized to be appropriated $36,000,000 for fiscal year 1994.

(iii) For the purpose of carrying out the provisions of section 405B relating to the National Institute for the Education of At-Risk Students, there are authorized to be appropriated $20,000,000 for fiscal year 1994, and such sums as are necessary for each of the fiscal years 1995 and 1996.

(B) For the purpose of carrying out the provisions of section 405B relating to the National Institute for Innovation in Educational Governance and Management, there are authorized to be appropriated $20,000,000 for fiscal year 1995, and such sums as may be necessary for fiscal year 1996.

(C) For the purpose of carrying out the provisions of section 405B relating to the National Institute for Early Childhood Education, there are authorized to be appropriated $20,000,000 for fiscal year 1995 and such sums as may be necessary for fiscal year 1996.

(D) For the purpose of carrying out the provisions of section 405B relating to the National Institute for Student Achievement, there are authorized to be appropriated $20,000,000 for fiscal year 1995 and such sums as may be made necessary for fiscal year 1996.

(E) For the purpose of carrying out the provisions of section 405B relating to the National Institute for Postsecondary Education, Libraries, and Lifelong Learning, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 1995 and 1996.

(2) NATIONAL EDUCATION DISSEMINATION SYSTEM.—

(A)(i) For the purpose of carrying out subsections (b)(2) through (g) of section 405C, there are authorized to be appropriated $17,000,000 for fiscal year 1993, and such sums as are necessary for each of the fiscal years 1994 through 1996.

(ii) Of the amount appropriated under clause (i) for any fiscal year, the Secretary shall make available not less than $7,175,000 to carry out subsection (f) of section 405C (relating to clearinghouses).

(B) For the purposes of carrying out subsection (h) of section 405C (relating to SMARTLINE), there are authorized to be appropriated $5,000,000 for fiscal year 1993, and such sums as are necessary for each of the fiscal years 1994 through 1996.

(C) For the purposes of carrying out subsection (i) of section 405C (relating to electronic networking), there are authorized to be appropriated $10,000,000 for fiscal year 1993, and such sums as are necessary for each of the fiscal years 1994 through 1996.

(D) For the purpose of carrying out subsection (j) of section 405C (relating to regional educational laboratories), there are authorized to be appropriated $36,000,000 for fiscal year 1993, and such sums as are necessary for each of

the fiscal years 1994 through 1996. Of the amounts appropriated under the preceding sentence for a fiscal year, the Secretary shall obligate not less than 25 percent to carry out such purpose with respect to rural areas.

(E) For the purpose of carrying out subsection (l) of section 405C (relating to the regional partnerships) there are authorized to be appropriated $30,000,000 for fiscal year 1993, and such sums as are necessary for each of the fiscal years 1994 through 1996.

(F) For the purpose of carrying out subsection (i) of section 405C (relating to the America 2000 Communities Special Assistance program), there are authorized to be appropriated $30,000,000 for fiscal year 1993, $50,000,000 for fiscal year 1994, and such sums as are necessary for each of the fiscal years 1995 and 1996.

(3) NATIONAL EDUCATIONAL RESEARCH POLICY AND PRIORITIES BOARD.—Of the amounts appropriated under paragraphs (1) and (2) for any fiscal year, the Secretary shall make available 2 percent of such amounts, or $1,000,000, whichever is less, to the Board for the purpose of carrying out section 405A.

(4) ALLOCATIONS FOR GRANTS, COOPERATIVE AGREEMENTS, AND CONTRACTS.—Of the amounts appropriated under paragraph (1) or (2) for any fiscal year, not less than 95 percent shall be expended to carry out the purposes described in such paragraphs through grants, cooperative agreements, or contracts.

(5) LIMITATIONS ON APPROPRIATIONS.—No amounts are authorized to be appropriated under paragraph (1) or (2) for any fiscal year unless the Board has been appointed in accordance with section 405A not later than 180 days after the date of the enactment of the Educational Research, Development, and Dissemination Excellence Act.

(6) RESTRICTIONS ON APPROPRIATIONS.—No funds appropriated under paragraphs (1) and (2) for any fiscal year may be used to support—

(A) research and development activities in the area of student assessment except those activities which are carried out in accordance with subsection (i) of section 405B;

(B) the development of content or student performance standards unless specifically authorized by law; or

(C) the development of curricular frameworks by State education agencies or other entities except through the provision of support and technical assistance by the regional laboratories in accordance with subsection (h) of section 405C.

(7) GRANT REQUIRED.—From the amounts appropriated under paragraph (1) for fiscal year 1993, the Secretary shall, in accordance with the provisions of this paragraph, award a grant of $5,000,000 to a public or private institution, agency or organization for a period not to exceed five years for the purpose of conducting a State-by-State poll to determine the perceptions of recent graduates of secondary schools, their instructors in institutions of higher education, parents of recent such graduates, and employers of recent such graduates on how well schools have prepared students for further education or employment.

The grant shall be awarded on a competitive basis and shall be matched on a two-to-one basis, with the Federal Government contributing one-third of the total costs of the poll.

NATIONAL EDUCATIONAL RESEARCH POLICY AND PRIORITIES BOARD

SEC. 405A. (a) IN GENERAL.—There is established within the Office a National Educational Policy and Priorities Board (hereafter in this section referred to as the "Board").

(b) FUNCTIONS.—It shall be the responsibility of the Board, acting through the Assistant Secretary—

(1) to determine priorities that should guide the work of the Office and provide guidance to the Congress in its oversight of the Office;

(2) to establish standards for the conduct and evaluation of all research, development, and dissemination carried out under the auspices of the Office pursuant to sections 405 through 405C; and

(3) to regularly review and evaluate the implementation of its recommended priorities and policies by the Department and the Congress.

(c) RESEARCH PRIORITIES PLAN.—The Board shall—

(1) survey and assess the state of knowledge in education research, development and dissemination to identify disciplines and areas of inquiry within the priority research, development and dissemination needs identified in section 405(b)(3) in which the state of knowledge is insufficient and which warrant further investigation, taking into account the views of both education researchers and practicing educators;

(2) consult with the National Education Goals Panel and other authorities on education to identify national priorities for the improvement of education;

(3) actively solicit recommendations from education researchers, teachers, school administrators, parents, and others throughout the Nation by convening periodic regional forums and through other means;

(4) provide recommendations for the development, maintenance, and assurance of a strong infrastructure for education, research, and development in the United States; and

(5) on the basis of such recommendations, develop a research priorities program which shall recommend priorities for the investment of the resources of the Office over the next 5-, 10-, and 15-year periods, including as priorities those areas of inquiry in which further research, development and dissemination—

(A) is necessary to attain the goals for the improvement of education identified in paragraph (2);

(B) promises to yield the greatest practical benefits to teachers and other educators in terms of improving education; and

(C) will not be undertaken in sufficient scope or intensity by the other Federal and non-Federal entities engaged in education research and development.

(d) CONTENTS OF PLAN—

(1) IN GENERAL.—The research and priorities plan described in subsection (c) shall, at a minimum—

(A) include goals for expenditures by the Office within the recommended priority areas;

(B) set forth specific objectives which can be expected to be achieved as a result of such expenditure;

(C) within each priority area, include recommendations as to the relative distribution of resources among and within the research institutes, national education dissemination system, and other entities engaged in education research and development;

(D) include recommendations with respect to research and development on cross-cutting issues which should be carried out jointly by 2 or more of the research institutes; and

(E) include an evaluative summary of the educational research and development activities undertaken by the Federal government during the preceding 2 fiscal years which shall describe—

(i) what has been learned as a result of such activities;

(ii) how such new knowledge or understanding extends or otherwise relates to what had been previously known or understood;

(iii) the implications of such new knowledge or understanding for educational practice and school reform; and

(iv) any development, reform, and other assistance activities which have utilized such knowledge or understanding and the effects of such efforts.

(2) REPORT.—

(A) Not later than October 1 of fiscal year 1993 and of every second fiscal year thereafter, the Secretary shall publish a report specifying the proposed research priorities of the Board and allow a 60-day period beginning on the date of the publication of the report for public comment and suggestions.

(B) Not later than 90 days after the expiration of the 60-day period referred to in subparagraph (A), the Secretary shall submit to the President and the Congress a report specifying the research priorities of the Board and any public comment and suggestions obtained under such subparagraph.

(e) STANDARDS FOR CONDUCT AND EVALUATION OF RESEARCH.—

(1) IN GENERAL.—The Board shall develop such standards as it deems necessary to govern the conduct and evaluation of all research, development, and dissemination activities carried out by the Office to assure that such activities meet the highest standards of professional excellence. In developing such standards, the Board shall review the procedures utilized by the National Institutes of Health, the National Science Foundation, and other Federal agencies engaged in research and development and shall also actively solicit recommendations from the Secretary, the National Academy of Sciences, the American

Educational Research Association and members of the general public.

(2) CONTENTS OF STANDARDS.—Such standards shall at a minimum—

(A) require that a system of peer review be utilized by the Office—

(i) in reviewing and evaluating all applications for grants and cooperative agreements and bids for contracts;

(ii) in evaluating and assessing the performance of all recipients of grants from and cooperative agreements and contracts with the Office;

(iii) in reviewing and designating exemplary and promising programs in accordance with section 405C(d);

(B)(i) specify the composition of peer review panels, the criteria for the selection of members of such panels, and describe the means by which potential members shall be identified so as to assure that such panels are broadly representative of individuals with expertise in matters relevant to the purposes of each such panel;

(ii) prohibit the consideration of partisan affiliation in the selection of any member of a peer review panel;

(iii) describe the general procedures which shall be used by each peer review panel in its operations;

(iv) prohibit the participation by a member of a peer review panel in the review of any application in which such member has any financial interest; and

(v) require that transcripts, minutes, and other documents made available to or prepared for or by a peer review panel will be available for public inspection to the extent consistent with the Freedom of Information Act, the Federal Advisory Committee Act, the Privacy Act, and other laws;

(C)(i) describe the procedures which shall be utilized in evaluating applications for grants, proposed cooperative agreements, and contract bids;

(ii) specify the criteria and factors which shall be considered in making such evaluations; and

(iii) provide that any decision to fund a grant, contract, or cooperative agreement out of its order of ranking by a peer review panel shall be first fully justified in writing and that copies of such justification shall be transmitted to the Board, unless such action is required by some other provision of law;

(D)(i) describe the procedures which shall be utilized in reviewing educational programs which have been identified by or submitted to the Secretary for evaluation in accordance with section 405C(d); and

(ii) specify the criteria which shall be used in recommending programs as exemplary and promising; and

(E)(i) require that the performance of all recipients of grants from and contracts and cooperative agreements with

the Office shall be periodically evaluated, both during and at the conclusion of their receipt of assistance;

(ii) describe the procedures and means by which such evaluations shall be undertaken, including—

(I) the frequency of such evaluations;

(II) the criteria, outcome measures, and other factors which shall be taken into account; and

(III) measures to assure that on-site evaluations of performance shall be utilized to the extent appropriate and whenever practicable; and

(iii) provide that the results of such evaluations shall be taken into account prior to any decision to continue, renew, or provide new funding to the entity being reviewed.

(3) PUBLICATION AND PROMULGATION OF STANDARDS.—

(A) The Board shall publish proposed standards—

(i) which meet the requirements of subparagraphs (A), (B), and (C) of paragraph (2) not later than 1 year following the convening of the first meeting of the Board;

(ii) which meet the requirements of paragraph (2)(D) not later than 2 years following the convening of the first meeting of the Board; and

(iii) which meet the requirements of subparagraph (E) of paragraph (2) not later than 3 years following the convening of the first meeting of the Board;

(B) Following the publication of such proposed standards, the Board shall solicit comments from the Secretary and interested members of the public with respect to such proposed standards for a period of not more than 120 days. After giving due consideration to any comments it may have received, the Board shall approve and transmit to the Secretary final standards which meet the requirements of the particular subparagraphs of paragraph (2) for which they were developed.

(f) ADDITIONAL RESPONSIBILITIES OF THE BOARD.—It shall also be the responsibility of the Board to—

(1) provide advice and assistance to the Secretary in carrying out the coordination activities described in section 405;

(2) make nominations to the Secretary of persons qualified to fulfill the responsibilities of the Director for each research institute established by section 405B after making special efforts to identify qualified women and minorities and soliciting and giving due consideration to recommendations from professional associations and interested members of the public; and

(3) advise and make recommendations to the President with respect to individuals who are qualified to fulfill the responsibilities of the Assistant Secretary for the Office of Educational Research and Improvement.

(g) STANDING SUBCOMMITTEES.—

(1) ESTABLISHMENT; FUNCTIONS.—The Board shall establish a standing subcommittee for each of the Institutes established by subsection (a) of section 405B and for the Office of Dissemination and School Improvement established by subsection (b) of section 405C which shall advise, assist, consult with and make

BEST COPY AVAILABLE

recommendations to the Assistant Secretary, the Board, the Director of such entity and the Congress on matters related to the activities carried out by and through such entities.

(2) COMPOSITION.—

(A) Each standing subcommittee shall consist of 3 members of the Board and 6 additional individuals appointed by the Board who have significant experience in and knowledge of the disciplines relevant to the purposes of the entity for which the subcommittee is established.

(B) The Board shall assure that the membership of each subcommittee includes both educational researchers and persons who are knowledgeable about the research, development and dissemination needs of practitioners, including classroom teachers, school administrators, and members of State or local boards of education.

(h) POWERS OF THE BOARD.—In carrying out its functions, powers, and responsibilities, the Board—

(1) shall, without regard to the provisions of title 5, United States Code, relating to the appointment and compensation of officers or employees of the United States, appoint a director to be paid at a rate not to exceed the rate of basic pay payable for level V of the Executive Schedule who shall assist in carrying out and managing the activities of the Board and perform such other functions the Board determines to be necessary and appropriate;

(2) shall hire its own staff through routine government procedures;

(3) may arrange for the detail of staff personnel and utilize the services and facilities of any agency of the Federal Government;

(4) may enter into contracts, or make other arrangements as may be necessary to carry out its functions;

(5) may review any grant, contract, or cooperative agreement made or entered into by the Office;

(6) may, to the extent otherwise permitted by law, obtain directly from any department or agency of the United States such information as it deems necessary to carry out its responsibilities;

(7) may convene workshops and conferences, collect data, and establish subcommittees which may be composed of members of the Board and nonmember consultants (including employees of the Department) with expertise in the particular area addressed by such subcommittees; and

(8) shall establish such rules and procedures to govern its operations as it considers appropriate, to the extent otherwise permitted by law.

(i) MEMBERSHIP IN GENERAL.—

(1) QUALIFICATIONS.—The members of the Board shall be eminent persons who, by virtue of their training, experience, and background, are exceptionally qualified to appraise the educational research and development effort of the Nation and to establish policies and priorities to govern future Federal investment in educational research, development, and dissemination.

(2) BROAD REPRESENTATION.—Due consideration shall be given to the gender, race, and ethnicity of appointees to assure that the Board is broadly representative of the diversity of the Nation.

(3) LIMITATION.—A voting member of the Board may not serve on any other governing or advisory board within the Department of Education.

(4) CONFLICT OF INTEREST.—A voting member of the Board shall be considered a special Government employee for the purposes of the Ethics in Government Act of 1978.

(j) SECRETARIAL APPOINTMENTS.—The Board shall consist of 20 members appointed by the Secretary. Of the members of the Board—

(1) seven shall be appointed from among researchers in the field of education who have been nominated by the National Academy of Sciences (giving due consideration to recommendations made by the American Educational Research Association), including persons who are among the leading authorities on early childhood education and the education of at-risk students;

(2) four shall be classroom teachers, no fewer than 2 of whom continue to work regularly in the classroom, appointed from among outstanding teachers nominated by the American Federation of Teachers, the National Education Association, the National Association for the Education of Young Children, and the National Head Start Association;

(3) one shall be a Chief State School Officer, appointed from among those nominated by the Council of Chief State School Officers;

(4) one shall be a local education agency school superintendent or principal, appointed from among those nominated by the American Association of School Administrators, the National Association of Elementary School Principals, and the National Association of Secondary School Principals;

(5) one shall be a member of a State or local board of education, appointed from among those nominated by the National School Boards Association and the National Association of State Boards of Education;

(6) one shall be a professional librarian, school library media specialist, library administrator, or library science educator, appointed from among those nominated by the American Library Association and the Association of Research Libraries;

(7) one shall be a parent with extensive experience in promoting parental involvement in education, appointed from among those nominated by the National Parent-Teachers Association, the National Committee for Citizens in Education, and the National Coalition of Title I/Chapter 1 Parents;

(8) one shall be an individual from the nonprofit foundation community, appointed from among those individuals nominated by the Spencer Foundation, Carnegie Corporation of New York, and other foundations which have been involved consistently and significantly in efforts to improve education;

(9) two shall be individuals from business and industry with significant experience in promoting private sector involvement in education, appointed from among those nominated by the

Committee for Economic Development, the National Alliance of Business, the Chamber of Commerce, the Business Roundtable, Black Business Council, and the United States Hispanic Chamber of Commerce; and

(10) one shall be a State Governor who shall be appointed from among those individuals nominated by the National Governors Association and the National Education Goals Panel.

(k) REQUIREMENTS FOR NOMINATIONS.—

(1) IN GENERAL.—In making nominations for members of the Board, each organization described in subsection (j)—

(A) may not nominate any individual who is an elected officer or employee of such organization; and

(B) shall nominate not less than 3 individuals for each of the positions on the Board for which such organization has responsibility for making nominations.

(2) REQUEST FOR ADDITIONAL NOMINATIONS.—In the event that the Secretary determines that none of the individuals nominated by an organization meet the qualifications for membership on the Board specified in subsection (i), the Secretary may request that such organization make additional nominations.

(l) EX OFFICIO MEMBERS.—The ex officio, nonvoting members of the Board shall be as follows:

(1) The Secretary.

(2) The Assistant Secretary.

(3) The Director of Research for the Department of Defense.

(4) The Director of Research for the Department of Labor.

(5) The Director of the National Science Foundation.

(6) The Director of the National Institutes of Health.

(7) The Director of the National Endowment for the Arts.

(8) The Director of the National Endowment for the Humanities.

(9) The Librarian of Congress.

(m) CHAIR.—The Board shall select a Chair from among its appointed members who shall serve for a renewable term of 2 years.

(n) TERMS OF OFFICE.—

(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), the term of office of each voting member of the Board shall be 4 years.

(2) EXCEPTIONS.—

(A) Any individual appointed to fill a vacancy occurring on the Board prior to the expiration of the term for which the predecessor of the individual was appointed shall be appointed for the remainder of the term. A vacancy shall be filled in the same manner in which the original appointment was made.

(B) The terms of office of the members of the Board who first take office after the date of enactment of the Educational Research, Development, and Dissemination Excellence Act shall, as designated by a random selection process at the time of appointment, be as follows:

(i) 2 years for each of 6 members of the Board.

(ii) 3 years for each of 6 members of the Board.

(iii) 4 years for each of 8 members of the Board.

(3) PROHIBITION ON CERTAIN CONSECUTIVE TERMS.—An individual who has been a member of the Board for 8 consecutive years shall thereafter be ineligible for appointment during the 2-year period beginning on the date of the expiration of the 8th year.

(o) MEETINGS OF BOARD.—

(1) INITIAL MEETING.—The Secretary shall ensure that the first meeting of the Board is held not later than the expiration of the 180-day period beginning on the date of the enactment of the Educational Research, Development, and Dissemination Excellence Act.

(2) SUBSEQUENT MEETINGS.—The Board shall meet quarterly, at the call of the Chair, and when at least one-third of the members of the Board make a written request to meet.

(3) QUORUM.—A majority of the Board shall constitute a quorum.

(4) OPEN MEETINGS.—The Government in the Sunshine Act (5 U.S.C. 552b) shall apply to meetings of the Board.

NATIONAL RESEARCH INSTITUTES

SEC. 405B. (a) ESTABLISHMENT OF INSTITUTES.—In order to fulfill the research and development purposes of the Office, and to carry out, in accordance with the standards established by the Board, a program of high-quality and rigorously evaluated research and development that is capable of improving Federal, State, and local education policies and practices, there are established within the Office the following institutes:

(1) The National Institute for the Education of At-Risk Students.

(2) The National Institute for Innovation in Educational Governance, Finance, and Management.

(3) The National Institute for Early Childhood Development and Education.

(4) The National Institute on Student Achievement.

(5) The National Institute on Postsecondary Education, Libraries, and Lifelong Education.

(b) DIRECTORS.—

(1) IN GENERAL.—Each Institute established by subsection (a) shall be headed by a Director who shall be appointed by the Secretary from among persons who have significant experience and expertise in the disciplines relevant to the purposes of such Institute. Prior to making such appointment, the Secretary shall solicit and give due consideration to recommendations made by the Board of persons qualfied to fulfill the position.

(2) TERM OF OFFICE.—The Director of each Institute shall serve for a term of 4 years. With respect to the annual rate of basic pay payable for the position of Director of any of such Institutes, such position shall be a position to which level IV of the Executive Schedule applies for purposes of section 5315 of title 5, United States Code.

(c) AUTHORITIES AND DUTIES.—

(1) IN GENERAL.—The Secretary, acting through the Director of each Institute, is authorized to conduct research, develop-

ment, demonstration, and evaluation activities to carry out the purposes for which such Institute was established—

(A) directly;

(B) through grants, contracts, and cooperative agreements with institutions of higher education, regional educational laboratories, public and private organizations, institutions, agencies, and individuals, including—

(i) research and development centers which are—

(I) awarded competitively for a period of not less than 6 and not more than 10 years;

(II) funded at not less than $2,000,000 annually in order to support a full range of basic research, applied research and dissemination activities; and

(III) established by institutions of higher education, by institutions of higher education in consort with public agencies or private nonprofit organizations, or by interstate agencies established by compact which operate subsidiary bodies established to conduct postsecondary educational research and development;

(ii) public-private research partnerships established by a State or local education agency in consort with a private organization and a team of educational researchers, for which the Federal share shall be limited to not more than 50 percent of the total costs of the project;

(iii) meritorious unsolicited proposals for educational research and related activities; and

(iv) proposals that are specifically invited or requested by the Director, on a competitive basis;

(v) dissertation grants, awarded for a period of not more than 2 years and in a total amount not to exceed $20,000 to graduate students in the sciences, humanities, and the arts to support research by such scholars in the field of education;

(C) through the provision of technical assistance; and

(D) through the award of fellowships to support graduate study in educational research by qualified African-American, Hispanic, and other individuals from groups which have been traditionally underrepresented in the field of educational research which shall—

(i) be awarded on the basis of merit for a period of 3 years;

(ii) provide stipends to each fellow in an amount which shall be set at a level of support comparable to that provided by the National Science Foundation Graduate Fellowships, except that such amounts shall be adjusted as necessary so as not to exceed each fellow's demonstrated level of need.

(2) SCOPE AND FOCUS OF ACTIVITIES.—In carrying out the purposes for which each Institute is established, the Secretary, acting through the Director of each Institute, shall—

(A) maintain an appropriate balance between applied and basic research;

(B) significantly expand the role of field-initiated research in meeting the Nation's education research and development needs by reserving not less than 15 percent of the amounts available to each Institute in any fiscal year to support field-initiated research described in clauses (iii) through (v) of paragraph (1); and

(C) provide for and maintain a stable foundation of long-term research and development on core issues and concerns conducted through university-based research and development centers by reserving not less than 30 percent of the amounts available to each Institute in any fiscal year to support such research and development centers.

(3) REQUIREMENTS REGARDING FINANCIAL ASSISTANCE.—No grant, contract, or cooperative agreement may be made under this section unless—

(A) sufficient notice of the availability of, and opportunity to compete for, assistance has first been provided to potential applicants through notice published in the Federal Register and other means;

(B) it has been recommended after peer review in accordance with the standards issued by the Board;

(C) it will be evaluated in accordance with the standards issued by the Board; and

(D) in the case of a grant, contract, or cooperative agreement which exceeds $500,000 for a single fiscal year or $1,000,000 for more than one fiscal year, the Secretary has complied with the requirements of paragraph (4).

(4) BOARD REVIEW OF CERTAIN PROPOSED GRANT AND CONTRACT ACTIONS.—

(A) The Secretary may not solicit any contract bid or issue a request for proposals or applications for any grant or cooperative agreement the amount of which exceeds $500,000 in any single fiscal year or which exceeds an aggregate amount of $1,000,000 for more than one fiscal year unless—

(i) at least 30 days prior to the next scheduled meeting of the Board, a description of the proposed grant, contract, or cooperative agreement action has been transmitted to the Board, including an explanation of how the proposed action relates to the Research Priorities Plan developed by the Board under section 405A(c); and

(ii) the Board has reviewed the proposed action and made a written determination that—

(I) the purposes and scope of the proposed action are consistent with the Research Priorities Plan; and

(II) the methodology and approach of the proposed action are sound and adequate to achieve its stated objectives.

(B) The Board shall review and act upon each proposed action which has been transmitted by the Secretary in accordance with clause (i) of subparagraph (A) at the next meeting of the Board which follows the transmittal by the

Secretary. In the event that the Board fails to review and act upon any proposed action at such meeting, the requirements of clause (ii) of such subparagraph shall not apply with respect to such proposed action.

(5) HISTORICALLY UNDERUTILIZED RESEARCHERS AND INSTITUTIONS.—The Secretary, acting through the Director of each Institute, shall establish and maintain initiatives and programs to increase the participation in the activities of each Institute of groups of researchers and institutions who have been historically underutilized in Federal educational research activities, including—

(A) researchers who are women, African-American, Hispanic, or other ethnic minorities;

(B) promising young or new researchers in the field, such as postdoctoral students and recently appointed assistant or associate professors;

(C) historically black colleges and universities and other institutions of higher education with large numbers of minority students;

(D) institutions of higher education located in rural areas; and

(E) institutions and researchers located in States and regions of the Nation which have historically received the least Federal support for educational research and development.

(6) ADDITIONAL AUTHORITIES.—The Secretary, acting through the Director of each Institute—

(A) may obtain (in accordance with section 3109 of title 5 but without regard to the limitation in such section on the period of service) the services of experts or consultants with scientific or professional qualifications in the disciplines relevant to the purposes of such Institute;

(B) may not, notwithstanding any other provision of law, appoint, and employ any person in a position excepted from the competitive service under Schedule C;

(C) may use, with their consent, the services, equipment, personnel, information, and facilities of other Federal, State, or local public agencies, with or without reimbursement therefor;

(D) may accept voluntary and uncompensated services; and

(E) may accept unconditional gifts made to the institute to support its activities.

(d) NATIONAL INSTITUTE FOR THE EDUCATION OF AT-RISK STUDENTS.—

(1) FINDINGS.—The Congress finds as follows:

(A) The rate of decline in our urban schools is escalating at a rapid pace. Student performance in most inner city schools grows worse each year. At least half of all students entering ninth grade fail to graduate 4 years later and many more students from high-poverty backgrounds leave school with skills that are inadequate for today's workplace. In 1988 the average National Assessment of Educational Progress (NAEP) reading score of white 17 year-olds

was approximately 20 points higher than that of African-American 17 year-olds and 25 points higher than that of Hispanic 17 year-olds. None of the existing Federal educational research and development programs are adequately addressing this obvious emergency.

(B) Rural schools enroll a disproportionately large share of the Nation's poor and at-risk students and yet often lack the means to address effectively the needs of these children. Intensive efforts must be made to overcome the problems of geographic isolation, declining population, inadequate financial resources and other impediments to the educational success of children residing in rural areas.

(C) By the year 2000, an estimated 3.4 million school age children with limited English language proficiency will be entering the school system. The Federal Government must develop effective policies and programs to address the educational needs of this growing population of children who are at increased risk for educational failure.

(D) An educational emergency exists in those urban and rural areas where there are large concentrations of children who live in poverty. The numbers of educationally disadvantaged children will substantially increase by the year 2020, when the number of impoverished children alone will be 16.5 million, a 33 percent increase over the 12.4 million children in poverty in 1987.

(E) Minority scholars as well as institutions and groups that have been historically committed to the improvement of the education of at-risk students need to be more fully mobilized in the effort to develop a new generation of programs, models, practices, and schools capable of responding to the urgent needs of students who are educationally at-risk.

(2) PURPOSE.—It shall be the purpose of the Institute for the Education of At-Risk Students to carry out a coordinated and comprehensive program of research and development to provide nonpartisan, research-based leadership to the Nation as it seeks to improve educational opportunities for students who are at-risk for educational failure, particularly children who reside in inner city and rural areas and children of limited English proficiency. Such program shall undertake research necessary to provide a sound basis from which to—

(A) identify, develop, evaluate, and assist others to replicate and adapt interventions, programs, and models which promote greater achievement and educational success by at-risk students, including (but not limited to)—

(i) methods of instruction and educational practices (including community services) which improve the achievement and retention of at-risk students;

(ii) means by which parents and community resources and institutions can be utilized to support and improve the achievement of at-risk students;

(iii) the training of teachers and other educational professionals and paraprofessionals to work more effectively with at-risk students;

(iv) the most effective uses of technology in the education of at-risk students; and

(v) programs designed to promote gender equity in schools that serve at-risk students;

(vi) methods of assessing the achievement of students which are sensitive to cultural differences, provide multiple methods of assessing student learning, support student acquisition of higher order capabilities, and enable identification of the effects of inequalities in the resources available to support the learning of children throughout the Nation; and

(B) maximize the participation of those schools and institutions of higher education that serve the greatest number of at-risk students in inner city and rural areas, including model collaborative programs between schools and schools systems, institutions of higher education, and community organizations.

(e) NATIONAL INSTITUTE FOR INNOVATION IN EDUCATIONAL GOVERNANCE, FINANCE AND MANAGEMENT.—

(1) FINDINGS.—The Congress finds as follows:

(A) Many elementary and secondary schools in the United States—

(i) are structured according to models that are ineffective and rely on notions of management and governance that may be outdated or insufficient for the challenges of the next century; and

(ii) are unsuccessful in equipping all students with the knowledge and skills needed to succeed as citizens and in the working world.

(B) New approaches are needed in the governance and management of elementary and secondary education with the United States at the State, local, school building and classroom level.

(C) Not enough is known about the effects of various systems of school governance and management on student achievement to provide sound guidance to policymakers as they pursue school restructuring and reform.

(D) A concentrated Federal effort is needed to support research, development, demonstration, and evaluation of approaches to school governance, finance and management which promise to improve education equity and excellence throughout the Nation.

(2) PURPOSE.—It shall be the purpose of the Institute on Innovation in Educational Governance, Finance, and Management to carry out a coordinated and comprehensive program of research and development to provide nonpartisan, research-based leadership to the Nation as it seeks to improve student achievement through school restructuring and reform. Such program shall—

(A) undertake research necessary to provide a sound basis from which to identify, develop and evaluate approaches in governance and management at the State, local, school building and classroom level which promise to improve educational equity and excellence, such as—

(i) open enrollment programs, magnet schools and other systems through which parents may select the public schools and educational programs in which their children are enrolled;

(ii) the provision of financial and other rewards and incentives based on performance to improve student achievement;

(iii) the use of regulatory flexibility on the State or district level to promote innovation and school restructuring;

(iv) school-based management;

(v) the restructuring of school finance systems at the State and local level to promote greater equity in the distribution of resources for education;

(vi) expanding the role of teachers in policymaking and administration at the school and district-wide level; and

(vii) programs designed to increase the involvement of parents and families in the management and governance of schools and the education of their children;

(viii) effective approaches to increasing the representation of women and minorities among leadership and management positions in education;

(ix) approaches to systemic reforms involving the coordination of multiple policies of each level of government to promote higher levels of student achievement;

(x) approaches to coordinated services for children; and

(xi) policies related to school to work transitions and preparing noncollege-bound students; and

(B) undertake research and development activities necessary to provide information on the skills required for successful educational leadership at the State and local level and to enhance the ability of school leaders and administrators to improve the educational environment for all students.

(f) NATIONAL INSTITUTE FOR EARLY CHILDHOOD DEVELOPMENT AND EDUCATION.—

(1) FINDINGS.—The Congress finds as follows:

(A) The Nation has set as a goal that all children should arrive at school ready to learn.

(B) Despite efforts to expand and improve preschool programs, many children still reach school age unprepared to benefit from formal education programs.

(C) Early intervention for disadvantaged children from conception to age five has been shown to be a highly cost-effective strategy for reducing later expenditures on a wide variety of health, developmental, and educational problems that often interfere with learning. Long-term studies of the benefits of preschool education have a demonstrated return on investment ranging from three to six dollars for every one dollar spent.

(D) The Federal Government should play a central role in providing research-based information on early childhood

BEST COPY AVAILABLE

education models which enhance children's development and ultimately their success in school.

(2) PURPOSE.—The purpose of the National Institute for Early Childhood Development and Education is to support basic and applied research, compile existing research, develop effective models, offer in-depth technical assistance, and to otherwise assist States and communities in developing sound early childhood education policies and practices that include—

(A) social and educational development of all infants, toddlers, and preschool children;

(B) the role of parents and the community in promoting the successful social and educational development of children from birth to age five;

(C) training and preparation of teachers and other professional and paraprofessional preschool and child care workers;

(D) the structure and environment of early childhood education and child care settings which lead to improved social and educational development; and

(E) practices and approaches which sustain the benefits of effective preschool and child care programs.

(3) CERTAIN REQUIREMENTS.—In carrying out its mission, the Institute shall—

(A) place special emphasis on the special early childhood education needs of at-risk children, children with disabilities, and girls; and

(B) ensure that its research and development program provides information that can be utilized in improving the major Federal early childhood education programs, including Head Start, Even Start, chapter 1 preschool programs, and part H of the Individuals with Disabilities Education Act.

(g) NATIONAL INSTITUTE ON STUDENT ACHIEVEMENT.—

(1) FINDINGS.—The Congress finds as follows:

(A) The current achievement levels of students in the Nation are far below those that might indicate competency in challenging subject matter in English, mathematics, science, history, and geography and other areas, or across the subject areas.

(B) Very few students demonstrate that they can use their minds well. In recent assessments, more students are gaining basic skills, yet fewer are demonstrating a grasp of higher-level applications of those skills.

(C) During the past 20 years, relatively little has changed in how students are taught. Despite much research suggesting better alternatives, classrooms are still dominated by textbooks, teacher lectures, and short-answer activity sheets and unequal patterns of student attention.

(D) Despite progress in narrowing the gaps, the differences in performance between white students and their minority counterparts remain unacceptably large. While progress has been made in reducing the gender gap in mathematics, it still remains at higher levels of problem solving. Too little progress has been made in reducing

gender performance gaps favoring males in science and females in writing.

(2) PURPOSE.—The purpose of the National Institute on Student Achievement is to carry out a coordinated and comprehensive program of research and development to provide research-based leadership to the Nation as it seeks to improve student achievement in English, mathematics, science, history, geography, and other subject areas and across the boundaries of the subject areas. Such program shall—

(A) identify, develop, and evaluate innovative and exemplary methods of instruction and classroom management in a variety of subject areas, including (but not limited to)—

(i) research and development on student learning and assessment in various subject matters;

(ii) research and development on the effects of organizational patterns on the delivery of instruction, including issues of grouping and tracking, ungraded classrooms, and on the effects of various pedagogies, including the issues of technology in education; and

(iii) research and development on the best methods of teacher preparation.

(B) conduct basic and applied research in the areas of human learning, cognition, and performance, including research and development on the education contexts which promote excellence in learning and instruction, and motivational issues which provide a key to learning; and

(C) identify, develop, and evaluate programs designed to enhance academic achievement and narrow racial and gender performance gaps in a variety of subject areas, including research and development on methods of involving parents in their children's education and ways to involve business, industry and other community partners in promoting excellence in schools.

(h) NATIONAL INSTITUTE FOR POSTSECONDARY EDUCATION, LIBRARIES, AND LIFELONG LEARNING.—

(1) FINDINGS.—The Congress finds as follows:

(A) The American system of postsecondary education is foremost in the world in its achievement of both academic excellence and equity in access, but maintaining that preeminence requires renewed efforts to strengthen the quality of postsecondary education. Disappointing student performance on achievement tests and licensure examinations, declining rates of persistence and completion among minorities, and other troubling trends in the quality of postsecondary education must be addressed by the Nation as part of its overall drive to improve American education.

(B) The need to improve our Nation's economic productivity to meet the competitive challenges of a new, international economy, coupled with high levels of mobility in the United States labor market and demographic changes in the workforce, now demands more and higher quality programs of learning and training in the American workplace.

(C) The more than 1,000,000 men and women incarcerated in the Nation's prisons and jails are among the most se-

verely educationally disadvantaged in the United States, with high rates of functional illiteracy and extremely low levels of educational attainment. Since an estimated 90 percent of these individuals are expected to be released by the end of the decade, the Nation must act to assure that our correctional system has the means to equip these Americans with the knowledge and skills they will need to participate productively in our society.

(D) The development of a "Nation of Students" capable of and committed to the pursuit of formal and informal lifelong learning is essential to sustain both national and individual economic success and to provide a nurturing environment in which all children and youth can learn and achieve. Historically the most effective community resource for lifelong learning, the Nation's public library system must expand and restructure its delivery of services to take full advantage of the potential of new information technologies to meet the needs of learning communities.

(2) PURPOSE.—The purpose of the National Institute for Postsecondary Education, Libraries, and Lifelong Learning is to promote greater coordination of Federal research and development on issues related to adult learning and to carry out a program of research and development in adult learning to provide nonpartisan, research-based leadership to the Nation as it seeks to improve libraries, postsecondary education, and lifelong learning throughout the United States. Such program—

(A) shall promote greater coordination, cooperation, and interaction among entities within the Federal Government which support research and development related to postsecondary education, libraries, and lifelong learning;

(B) shall enable greater collaboration among entities within the Federal Government which support research and development related to postsecondary education, libraries, and lifelong learning by supporting research and development projects which are carried out jointly by such entities;

(C) shall support research and development in those areas of postsecondary education, libraries, and lifelong learning which are not being addressed sufficiently by other entities within the Federal Government;

(D) may include basic and applied research, development, replication, and evaluation activities in such areas as—

(i) methods of assessing and evaluating individual, program, and institutional performance;

(ii) the uses and applications of new technologies to improve program effectiveness and enhance student learning; and

(iii) practices, policies, and programs which address the unique needs of adult learners, including—

(I) institutional and classroom policies and practices at the postsecondary level necessary to improve matriculation, persistence, achievement and graduation by students who are economically disadvantaged, ethnic and racial minorities, women, older, working, and who have children;

(II) instructional practices and programs which are effective in correctional settings;

(III) new models of service delivery for public library systems which expand opportunities for lifelong learning;

(IV) effective programs and approaches which promote greater access to and success by minorities in postsecondary programs which prepare them for scientific, technical, teaching, and health career fields;

(V) effective approaches to work-based learning.

(iv) the effectiveness of Historically Black Colleges and Universities, Tribally-Controlled Indian Community Colleges, women's colleges, and other special mission institutions in fulfilling their mission of providing access and equal opportunity in higher education;

(v) the quality of higher education at all levels and the roles and responsibilities of regional and national accrediting agencies in assuring the quality and relevance of academic goals and objectives established by institutions of higher education;

(vi) financial barriers to postsecondary educational opportunity, including—

(I) the role of Federal programs authorized under title IV of the Higher Education Act and State grant and work programs in mitigating such barriers;

(II) the impact of the rising total cost of postsecondary education on access to higher education; and

(III) the extent and impact of student reliance on loans to meet the costs of higher education.

(3) INVOLVEMENT OF CERTAIN AGENCIES AND ORGANIZATIONS.—In promoting coordination and collaboration on research and development on issues related to postsecondary education, libraries, and lifelong learning, the Institute shall, as appropriate, seek the involvement of—

(A) within the Department of Education—

(i) the Office of Library Programs;

(ii) the Office of Correctional Education;

(iii) the Office of Vocational and Adult Education;

(iv) the National Institute on Disability and Rehabilitation Research; and

(v) the Office of Postsecondary Education;

(B) the National Institute for Literacy;

(C) the National Board for Professional Teaching Standards;

(D) the Employment and Training Administration of the Department of Labor;

(E) the Administration for Children and Families within the Department of Health and Human Services;

(F) the National Institutes of Health;

(G) the National Endowment for Humanities;

(H) the Bureau of Prisons of the Department of Justice;

(I) the Department of Commerce; and

(J) the Department of Defense.

(4) In addition to the responsibilities described in paragraph (2), the Institute shall be responsible for managing the existing contract for the National Center on Literacy and assuring that the activities of such center are fully coordinated with those of the National Institute for Literacy.

(i) RESEARCH ON ASSESSMENT.—The Secretary, acting through the Assistant Secretary, shall undertake a comprehensive, coordinated program of research and development in the area of assessment in accordance with the requirements of this subsection. Such program shall comply with the following:

(1)(A) The program shall be carried out by—

(i) each of the Institutes established by this section; and

(ii) a research and development center which shall be jointly funded by all of the Institutes.

(B) Such center shall—

(i) conduct basic and applied research and engage in development, analysis, and evaluation in the area of assessment of student achievement;

(ii) coordinate the research and development activities in the area of assessment undertaken by each of the Institutes; and

(iii) working cooperatively with the regional educational laboratories, provide technical assistance to State and local education agencies in the design, development, and implementation of new forms of assessment.

(2) The program shall include research and development in the following areas:

(A) The validity, reliability, generalizability, fairness, costs, relative merits, and most appropriate uses of various approaches and methods of assessing student learning and achievement.

(B) Methods and approaches to assessing student opportunities to learn (including the quality of instruction and the availability of resources necessary to support learning) and evaluating the quality of school environments.

(C) The design, development, evaluation, and validation of model performance-based and other alternative or innovative formats or uses of assessments.

(D) The impact of high-stakes uses of assessment on student performance and motivation, narrowing of curriculum, teaching practices, and test integrity.

(E) The fairness and impact of various methods of assessment on children of different races, ethnicities, gender, socioeconomic status, English language proficiencies, and children with other special needs.

(F) Standards of performance, quality, and validity for various methods of assessment and the means by which such standards should be developed.

(G) Current and emerging testing practices of State and local education agencies within the United States, as well as other nations.

(H) The diverse effects, both intended and unintended, of assessments as actually used in the schools, including effects on curriculum and instruction, effects on equity in the allocation of resources and opportunities, effects on equity of outcomes, effects on other procedures and standards for judging students and practitioners and possible inflation of test scores.

(I) Identifying and evaluating how students with limited English language proficiency and students with disabilities are included and accommodated in the various assessment programs of State and local education agencies.

(J) The feasibility and validity of comparing or equating the results of different assessments.

(3) The program shall—

(A) reflect recommendations made by the National Education Goals Panel (provided such panel has been authorized by law);

(B) comply with the "Standards for Educational and Psychological Tests" developed by the American Psychological Association, the National Council on Measurement in Education, and the American Educational Research Association;

(C) be consistent with the "Criteria for Evaluation of Student Assessment Systems" developed by the National Forum on Assessment; and

(D) comply with the "Code of Fair Testing Practices in Education" developed by the Joint Committee on Testing Practices.

For purposes of this subsection, the term "development" means the development of prototypes for the purposes of research and evaluation.

(j) COORDINATION OF RESEARCH ON CROSS-CUTTING ISSUES.—The Secretary, acting through the Assistant Secretary, shall promote the coordination of research and development activities among the Institutes established by subsection (a) to investigate those cross-cutting disciplines and areas of inquiry, such as assessment, the use of technology and the training of teachers and school administrators, which are relevant to the missions of more than one of the Institutes. Such activities shall—

(1) address cross-cutting disciplines and areas of inquiry which have been proposed by the Assistant Secretary and are consistent with the research priorities identified by the Board;

(2) be carried out jointly (1) by any one of the Institutes and—

(A) one (or more) of the Institutes;

(B) the National Center for Education Statistics; or

(C) any research and development entity administered by other offices of the Department of Education or by any other Federal agency or Department; and

(3) meet all the standards set by the Board for other research and development conducted by the Office.

(k) PROGRAM ON TEACHING AND TEACHER EDUCATION.—

(1) IN GENERAL.—The Secretary, acting through the Assistant Secretary, in accordance with the requirements of this subsection, shall undertake a comprehensive, coordinated program of

research in the area of teaching and teacher education to be carried out by each of the Institutes established by this section, including through research centers and field-initiated grants.

(2) CERTAIN PURPOSES OF PROGRAM.—In carrying out the program established under paragraph (1), the Secretary shall conduct, directly or through grants and contracts, basic and applied research and analytical activities to further knowledge about, make recommendations, and improve—

(A) the ability of classroom teachers and schools to assist new and diverse populations of students in successfully assimilating into the classroom environment;

(B) the working conditions of teachers and other educational practitioners, including but not limited to the topics of—

(i) teacher isolation;

(ii) professional resources available to teachers;

(iii) continuing educational and professional opportunities available to teachers;

(iv) physical facilities and equipment, such as office space, telephone, computer access, and fax machines and television cable access available to teachers in the work environment;

(v) opportunities for teachers to share information and resources with other teachers and education professionals;

(vi) opportunities for advanced learning experience; and

(vii) the reduction of stress in the teaching profession;

(C) institutional program renewal and instruction; and

(D) restructuring of State certification of teachers and teacher education standards.

(3) CERTAIN ACTIVITIES.—In carrying out the program established under paragraph (1), the Secretary shall—

(A) work with institutions of higher education engaged in the preparation of teachers and professional organizations of teacher educators and practitioners to encourage institutional program renewal and restructuring;

(B) conduct, directly or through grants and contracts research on—

(i) effective and reflective teaching for the preparation and continuing education of teachers;

(ii) the use of computing and multi-made technology to advance the understanding and abilities of teacher educators and classroom teachers;

(iii) the development and appraisal of curriculum and curriculum materials for the initial and continuing education of teachers and teacher educators; and

(iv) strengthening the evaluation and dissemination of information on programs for continuing professional education and renewal of those who educate teachers for initial or advanced licensure or certification;

(C) work with the national regional education laboratories, the ERIC clearinghouses, national education research

library, and the national center for education statistics to maximize information available, to prevent unnecessary duplication of efforts and resources, and to ensure the results of the centers work are widely available.

(l) RESEARCH ON EDUCATIONAL TECHNOLOGY.—The Assistant Secretary shall undertake a comprehensive, coordinated program of research and development in the area of the uses and applications of technology in education in accordance with the requirements of this subsection. Such program shall meet the following requirements:

(1) The program shall be carried out by each of the Institutes established by this section and a research and development center which shall be jointly funded by all of the Institutes. Such center shall—

(A) conduct basic and applied research and engage in development, analysis, evaluation in the area of the uses and applications of technology to education; and

(B) coordinate the research and development activities in the area of the uses and applications of technology to education undertaken by each of the Institutes;

(2) The program shall include basic and applied research, development, policy analysis, and evaluation in the following areas:

(A) The capabilities of current and emerging technologies and their possible uses in education.

(B) The uses and applications of technology—

(i) to improve instruction within all content areas in the school curriculum;

(ii) to educate more effectively at-risk students and other students with special needs;

(iii) to improve education in rural communities and other remote areas;

(iv) to improve the assessment of student learning and achievement; and

(v) to deliver preservice and inservice training for teachers, librarians, and school administrators.

(C) The cost and educational effectiveness of technologies used in education.

(D) Effective models and approaches for providing the preservice and inservice training and technical assistance necessary to enable teachers, librarians, and school administrators and others to use technology effectively in education.

(E) The identification of barriers to greater use of technologies in education and potential approaches to eradicating or mitigating such barriers.

(F) Methods and approaches which can be utilized by teachers, school administrators, and education policymakers to evaluate the quality and most appropriate uses of software and other technologies designed for use in education.

(G) Approaches to organizing and managing schools and classrooms to make the most effective use of technology in education.

H.Rept. 102-845 O - 92 - 5

(3) The program shall be coordinated with related research and development activities undertaken by the Office of Special Education Programs, the National Science Foundation, the Department of Defense, and other Federal agencies.

(m) TRANSITIONAL PROVISIONS.—

(1) TEMPORARY REORGANIZATIONS.—Upon the enactment of the Educational Research, Development and Dissemination Excellence Act, the Secretary shall reorganize the research and development functions and activities of the Office into administrative units the purposes of which shall be the same as those for each of the national research institutes established in subsection (a). Such administrative units shall be responsible for planning and providing for the establishment of such institutes and shall cease to exist on the dates upon which each of the relevant institutes is established. The provisions of subsection (c) (relating to authorities and duties) shall apply to all activities undertaken by each such administrative unit.

(2) DATES FOR ESTABLISHMENT OF INSTITUTES.—

(A) The National Institute for the Education of At-Risk Students shall be established effective October 1, 1993.

(B) The National Institute for Early Childhood Development and Education, the National Institute for Innovation in Educational Governance and Management, the National Institute for Student Achievement, and the National Institute on Postsecondary Education, Libraries, and Lifelong Learning shall each be established effective October 1, 1994.

NATIONAL EDUCATION DISSEMINATION SYSTEM

SEC. 405C. (a) IN GENERAL.—

(1) FINDINGS.—The Congress finds as follows:

(A) In order to improve the American educational system for all students, achieve the national education goals, and provide for greater educational equity, policymakers, administrators, teachers, and parents must have ready access to the best information and methods available as a result of educational research and development.

(B) The Office of Educational Research and Improvement should have as one of its primary purposes the dissemination of such information and methods in order to assist the national education reform effort.

(C) All current resources within the Office, the Department, and other agencies that can help accomplish this goal should be coordinated by the Assistant Secretary so as to form a systematic process to accomplish these objectives.

(D) Education research has the capacity to improve teaching and learning in our Nation's schools, however, teachers need training in the developmental skills necessary to translate research into practice and to allow them to become a cadre of knowledgeable practitioners and leaders in educational improvement.

(E) Adequate linkages between research and development providers and practitioners are essential to ensuring that research on effective practice is useful, disseminated and

supported with technical assistance to all educators, and that all educators are partners in the research and development process.

(2) PURPOSE.—The purpose of this section is to—

(A) create a national system of dissemination, development, and school improvement in order to create, adapt, identify, validate, and disseminate to educators, parents, and policymakers those educational programs that have potential or have been shown to improve educational opportunities for all students; and

(B) empower and increase the capacity of teachers to participate in the research and development process.

(3) DEFINITION OF EDUCATIONAL PROGRAM.—For the purposes of this section, the term "educational program" includes educational policies, research findings, practices, and products.

(b) ESTABLISHMENT OF OFFICE.—

(1) IN GENERAL.—There is established within the Office an Office of Reform Assistance and Dissemination (in this section referred to as the "Dissemination Office") through which the Secretary shall carry out all functions and activities described in this section.

(2) CERTAIN DUTIES.—The Dissemination Office shall—

(A) identify educational programs that may merit being designated as exemplary or promising educational programs;

(B) based solely on the educational merits and promise of such programs, select those to be designated as exemplary or promising;

(C) provide technical and financial assistance to individuals and organizations in the process of developing promising educational programs in the priority areas identified in section 405(b)(3), but who might not, without such assistance, be able to complete necessary development and assessment activities;

(D) nationally disseminate information regarding the exemplary and promising programs to educators, parents, and policymakers through a variety of means, including existing Department activities, education associations and networks, and communication technologies;

(E) provide training and technical assistance regarding the implementation and adoption of such exemplary and promising programs by interested entities; and

(F) carry out a program of research on models for successful knowledge dissemination and utilization and strategies for reaching education policymakers, practitioners, and others interested in education.

(3) ADDITIONAL DUTIES.—The Dissemination Office shall carry out and contain the following functions and activities:

(A) A process for the identification of educational programs that work.

(B) The educational resources information clearinghouses.

(C) Dissemination through new technologies.

(D) Smartline.

(E) The Electronic Networking and Resource-Sharing for School Improvement program.

(F) The regional educational laboratories.

(G) Regional Partnerships for Teacher Change Agents.

(H) The America 2000 Communities Special Assistance Program.

(I) The existing National Diffusion Network and its Developer-Demonstrator and State Facilitator projects.

(J) Such other programs or entities the Secretary determines are consistent with the purposes for which the Dissemination Office is established.

(c) IDENTIFICATION OF PROGRAMS.—

(1) IN GENERAL.—The Secretary shall establish a process through which successful educational programs are actively sought out for possible dissemination through the national educational dissemination system. Such process shall, at a minimum, have the capability to—

(A) work closely with the research institutes, centers, regional educational laboratories, the National Diffusion Network and its Developer-Demonstrator and State Facilitator projects, learning grant institutions established under the America 2000 Communities Special Assistance program, technical assistance centers established under chapter 1 of the Elementary and Secondary Education Act, the Women's Educational Equity Act Publishing Center, and other entities to identify successful educational programs at the regional, State, local, or classroom level;

(B) review successful educational programs supported by the Department through all of its programs, including Chapter 1, Even Start, Drug-Free Schools and Communities Act of 1986, the Individuals With Disabilities Education Act, Bilingual Education, the Women's Educational Equity Act, and Adult and Vocational Education;

(C) through cooperative agreements, review for possible inclusion in the system educational programs administered by the Departments of Health and Human Services (particularly the Head Start program), Labor and Defense, the National Science Foundation, and any other appropriate Federal agency; and

(D) provide for an active outreach effort to identify successful educational programs through cooperative arrangements with State and local education agencies, teachers and teacher organizations, curriculum associations, foundations, private schools, institutions of higher education, and other entities that could enhance the ability of the Secretary to identify programs for possible inclusion in the dissemination system.

(2) PRIORITY PROGRAMS.—In carrying out this subsection, the Secretary shall place a priority on identifying programs, products, and practices related to the priority research and development needs identified in section 405(b)(3).

(d) DESIGNATION OF EXEMPLARY AND PROMISING PROGRAMS.—

(1) IN GENERAL.—The Secretary, in consultation with the Board, shall establish 1 or more panels of appropriately qualified experts and practitioners to—

(A) evaluate educational programs that have been identified by the Secretary under subsection (c) or that have been submitted to the Secretary for such evaluation by some other individual or organization; and

(B) recommend to the Secretary programs that should be designated as exemplary or promising educational programs.

(2) CONSIDERATIONS IN MAKING RECOMMENDATIONS.—In determining whether an educational program should receive a recommendation under paragraph (1), a panel established under such paragraph shall consider—

(A) whether, based on empirical data, which may include but shall not be limited to test results, the program is effective and should thus be designated as exemplary and disseminated through the national dissemination system; or

(B) whether there is sufficient evidence to lead a panel of experts and practitioners to believe that the program shows promise for improving student achievement and should thus be designated as promising and disseminated through the national dissemination system while it continues to be evaluated.

(3) REQUIREMENT REGARDING APPROVAL OF PROGRAMS.—In seeking out programs for approval under paragraph (2), the Dissemination Office shall seek programs that may be implemented at the State, local, and classroom level.

(4) REQUIREMENTS REGARDING PANELS.—

(A) A panel shall not eliminate a program from consideration under this subsection based solely on the fact that it does not have one specific type of supporting data, such as test scores.

(B) The Secretary may not designate a program as exemplary or promising unless a panel established under paragraph (1) has recommended that the program be so designated.

(C) The Secretary shall establish such panels under paragraph (1) as may be necessary to ensure that each program identified or submitted for evaluation is evaluated.

(D) Not less than ⅔ of the membership of a panel established under paragraph shall consist of individuals who are not officers or employees of the United States. Members of panels under paragraph (1) who are not employees of the United States shall receive compensation for each day engaged in carrying out the duties of the panel as well as compensation for their expenses.

(e) DISSEMINATION OF EXEMPLARY AND PROMISING PROGRAMS.—

(1) IN GENERAL.—In order to ensure that programs identified as exemplary or promising are available for adoption by the greatest number of teachers, schools, and local and State education agencies, the Secretary shall utilize the capabilities of—

(A) the education resources information clearinghouses;

(B) Smartline.

(C) the regional educational laboratories;

(D) the National Diffusion Network;

(E) entities established under the America 2000 Communities Special Assistance Program;

(F) technical assistance centers established under Chapter 1 of the Elementary and Secondary Education Act;

(G) the National Library of Education; and

(H) other public and private nonprofit entities, including existing education associations and networks, that have the capability to assist educators in adopting exemplary and promising programs.

(2) REQUIREMENTS FOR SECRETARY.—In carrying out paragraph (1), the Secretary shall ensure that all such entities are—

(A) kept apprised of the availability of specific programs for dissemination;

(B) provided technical assistance, if necessary, to carry out this dissemination function; and

(C) involved in the national education dissemination system as specified by law.

(f) EDUCATION RESOURCES INFORMATION CLEARINGHOUSES.—

(1) IN GENERAL.—The Secretary shall establish a system of 16 education resource information clearinghouses having, at a minimum, the same functions and scope of work as the clearinghouses had on the date of the enactment of the Educational Research, Development, and Dissemination Excellence Act.

(2) ADDITIONAL FUNCTIONS.—In addition to those functions already being carried out by the clearinghouses, such clearinghouses shall—

(A) periodically produce interpretive summaries, digests, and syntheses of the results and findings of education-related research and development; and

(B) contain and make available to users information concerning those programs designated as exemplary and promising under subsection (c).

(3) COORDINATION OF ACTIVITIES.—The Secretary shall assure that the functions and activities of such clearinghouses are coordinated with the activities of the research institutes, the regional educational laboratories, learning grant institutions, other clearinghouses supported by the Department, the National Diffusion Network, and other appropriate entities within the Office and the Department.

(4) SPECIAL RESPONSIBILITIES OF THE SECRETARY.—To assure that the information provided through such clearinghouses is fully comprehensive, the Secretary shall—

(A) require that all reports, studies, and other resources produced directly or by grant or contract with the Department of Education are made available to clearinghouses;

(B) establish cooperative agreements with the Departments of Defense, Health and Human Services, and other Federal agencies to assure that all education-related reports, studies, and other resources produced directly or by grant or contract with the Federal Government are made available to such clearinghouses.

(5) COPYRIGHT PROHIBITED.—No clearinghouse or other entity receiving assistance under this subsection may copyright or otherwise charge a royalty or other fee for the use or redissemination of any database, index, abstract, report, or other information produced with assistance under this subsection.

(g) DISSEMINATION THROUGH NEW TECHNOLOGIES.—

(1) IN GENERAL.—The Assistant Secretary is authorized to award grants in accordance with this subsection to support the development of materials, programs, and resources which utilize new technologies and techniques to synthesize and disseminate research and development findings and other information which can be used to support school and classroom improvement. Such grants shall be limited to not more than 50 percent of the total cost of developing such materials.

(2) REQUIREMENTS.—In carrying out this subsection, the Assistant Secretary shall assure that—

(A) grants are awarded to support a diverse range of technologies, including, but not limited to, CD–ROM, interactive video discs, personal computer software, and public broadcasting, cable, fiber, and satellite programming;

(B) both formative and summative evaluations are undertaken as part of each development project;

(C) the information and other resources disseminated as part of each development project have been evaluated and validated as part of the identification process described in subsections (c) and (d) of this section; and

(D) priority in awarding grants is given to—

(i) development projects which provide information and other resources related to effective approaches to educating at-risk students;

(ii) development projects which provide information and other resources that parents, in particular, will find useful in a manner and format which is readily accessible and easy to understand; and

(iii) a national multimedia, television-based project directed to homes, schools, libraries, and after-school programs which demonstrates and disseminates effective ways to motivate and improve reading comprehension and writing coherence of elementary age students in high poverty areas.

(h) SOURCES OF MATERIALS AND RESEARCH ABOUT TEACHING AND LEARNING FOR IMPROVING NATIONWIDE EDUCATION (SMARTLINE).—

(1) ELECTRONIC NETWORK.—The Assistant Secretary, acting through the Office of Reform Assistance and Dissemination, shall establish and maintain an electronic network which shall, at a minimum, link—

(A) each office of the Department of Education;

(B) the research institutes established by section 405B;

(C) the National Center for Education Statistics;

(D) the National Library of Education;

(E) entities engaged in research, development, dissemination, and technical assistance under grant, contract, or cooperative agreement with the Department of Education, including—

(i) the ERIC Clearinghouses;

(ii) national research and development centers;

(iii) the regional educational laboratories;

(iv) National Diffusion Network State Facilitators;

(v) Chapter 1 Technical Assistance Centers;

(vi) research and development entities supported by the Office of Special Education programs;

(vii) evaluation assistance centers and multifunctional resource centers administered by the Office of Bilingual Education and Minority Language Affairs;

(viii) the National Center for Research in Vocational Education;

(ix) the Desegregation Assistance Centers; and

(x) regional centers established under section 5135 of the Drug-Free Schools and Communities Act of 1986.

(2) CERTAIN REQUIREMENTS FOR NETWORK.—The network described in paragraph (1) shall—

(A) to the extent feasible, build upon existing national, regional, and State electronic networks;

(B) at a minimum, have the capability to support electronic mail and file transfer services;

(C) be linked to and accessible to other users, including State and local education agencies, institutions of higher education, museums, libraries, and others through the Internet and the National Research and Education Network; and

(D) be provided at no cost (excluding the costs of necessary hardware) to the contractors and grantees described in subparagraph (E) of paragraph (1) and to educational institutions accessing such network through the Internet and the National Research and Education Network;

(3) INFORMATION RESOURCES.—The Assistant Secretary, acting through the Office of Reform Assistance and Dissemination, shall make available through the network described in paragraph (1) the following—

(A) information about grant and contract assistance available through the department;

(B) an annotated directory of current research and development activities and projects being undertaken with the assistance of the Department;

(C) information about publications published by the Department and, to the extent feasible, the full text of such publications;

(D) statistics and data published by the National Center for Education Statistics;

(E) syntheses of research and development findings;

(F) a directory of other education-related electronic networks and databases, including information about the means by which they may be accessed;

(G) a descriptive listing of materials and courses of instruction provided by telecommunications partnerships assisted under the Star Schools program;

(H) resources developed by the ERIC Clearinghouses;

(I) education-related software which is in the public domain; and

(J) such other information and resources the Assistant Secretary considers useful and appropriate.

(4) EVALUATIONS REGARDING OTHER FUNCTIONS OF NETWORK.—The Assistant Secretary shall also undertake projects to test and evaluate the feasibility of using the network described in paragraph (1) for—

(A) the submission of applications for assistance to the Department; and

(B) the collection of data and other statistics through the National Center for Education Statistics.

(5) SOFTWARE INTERFACES; INTELLIGENT GATEWAYS.—

(A) Upon the completion of the study required by subparagraph (B), the Assistant Secretary is authorized to support the development of 1 or more software interfaces or intelligent gateways which can be used to access and search multiple education-related databases simultaneously in order to improve access to current information about teaching and learning by education researchers, teachers, librarians, administrators, parents, community members, and policymakers.

(B) The Assistant Secretary shall provide for the conduct of an independent study of the feasibility and costs associated with developing and maintaining the software interfaces described in subparagraph (A). Such study shall—

(i) identify a variety of options and strategies for the development and operation of such interfaces;

(ii) identify the extent to which such interfaces are needed by various segments of the educational community, including education researchers, teachers, librarians, policymakers, school administrators, parents, and others;

(iii) estimate the costs associated with developing and maintaining such interfaces;

(iv) identify possible roles for the private sector in the development of such interfaces; and

(v) determine whether such interfaces would be developed in the absence of Federal assistance.

The Assistant Secretary shall submit copies of the study required by this subparagraph tot he appropriate authorizing and appropriations committees of the Congress.

(6) TRAINING AND TECHNICAL ASSISTANCE.—The Assistant Secretary, acting through the Office of Reform Assistance and Dissemination, shall—

(A) provide such training and technical assistance as may be necessary to enable the contractors and grantees described in subparagraph (E) of paragraph (1) to participate in the electronic network describe din paragraph (1);

(B) provide, through the regional laboratories and other means, technical assistance to State education agencies in the development of the electronic networking plans described in subsection (h); and

(C) work with the National Science Foundation to provide, upon request, assistance to State and local education agencies, State library agencies, libraries, museums, and other educational institutions in obtaining access to the Internet and the National Research and Education Network.

(i) ELECTRONIC NETWORKING AND RESOURCE-SHARING FOR SCHOOL IMPROVEMENT.—

(1) AUTHORITY FOR GRANTS.—The Assistant Secretary is authorized, in accordance with the provisions of this subsection, to make grants to State educational agencies for the purposes of expanding and improving the use of electronic networking and resource-sharing among educational institutions, educators, school administrators, and parents throughout the Nation. Such grants shall be used to—

(A) develop comprehensive plans to enable participation in electronic networking and resource-sharing, as well as access to the Smartline resources described in subsection (h), by all educational institutions within the State by the year 2000; and

(B) carry out the provisions of such plans, giving first priority to those activities which are necessary to enable access and use of electronic networking and resource-sharing by local education agencies within the state which have the greatest number or percentage of chapter 1 eligible students.

(2) CERTAIN REQUIREMENTS FOR PLANS.—Each such plan shall—

(A) provide for the development of an electronic network to enable greater information and resource-sharing among educational institutions within the State which shall—

(i) to the extent feasible, build upon existing electronic networks;

(ii) be linked to and accessible to other users through the Internet and the National Research and Education Network;

(iii) enable networking among public and school libraries and be consistent with State plan for interlibrary cooperation and resource-sharing under title III of the Library Services and Construction Act;

(iv) be available to all educational institutions within the State by the year 2000;

(v) enable access to the network established by the Assistant Secretary under paragraph (1) of subsection (h) and the information resources made available through such network;

(B) be developed through a broadly participatory process which shall include consultation with technical experts, State and local educational policymakers, teachers, librarians, school administrators, parents, the business community, representatives of institutions of higher education, and community-based organizations;

(C) identify potential uses for the network and the information resources available through such network by educational institutions within the State, including how such resources may be used to support learning in the classroom;

(D) establish standards and a governance structure for such network;

(E) identify professional development and technical support activities necessary to ensure that the personnel of educational institutions within the State have the skills necessary to participate fully and effectively in the electronic network;

(F) identify strategies and activities necessary to promote use of and participating in such network by parents;

(G) set out a schedule for the implementation of the plan; and

(H) estimate the costs of implementing the plan and identify resources, including assistance available through other Federal programs, to meet such costs.

(3) CONTINGENT AUTHORITY REGARDING IMPLEMENTATION.—If a State education agency already has a plan which meets the requirements of paragraph (2), such State education agency may use assistance provided under this subsection to support the implementation of such plan.

(4) AWARD OF GRANTS.—

(A) Except as provided in subparagraph (B), the Assistant Secretary shall award grants under this subsection to each State having an application approved under paragraph (5) in an amount which bears the same relationship to the amount appropriated to carry out this subsection as the amount such State received under chapter 1 of title I of the Elementary and Secondary Education Act of 1965 bears to the amount received under such chapter by all States.

(B) No State shall receive a grant pursuant to subparagraph (A) in an amount which is less than $100,000.

(5) APPLICATION FOR GRANT.—Each State desiring a grant under this subsection shall submit to the Assistant Secretary an application at such time, in such manner, and accompanied by such information as the Assistant Secretary may reasonably require.

(6) DURATION OF GRANT.—Grants awarded under this subsection shall be for a period of 1 year, which may be renewable for an additional 2 years.

(7) DEFINITION.—For the purposes of this subsection, the term "educational institution" includes State and local education agencies, institutions of higher education, libraries, museums, and education-related private foundations, community-based organizations which provide or support educational services, and education-related professional associations.

(j) REGIONAL EDUCATIONAL LABORATORIES.—

(1) FINDINGS.—The Congress finds as follows:

(A) Rural America contains more than 56,000,000 residents, making up 23 percent of the Nation's population. Increasingly, life in many parts of rural America has become a struggle for survival. The stark realities of poverty, lack of jobs, isolation and scarce community resources are challenging idyllic rural myths. Rural schools, in many rural communities the center of rural community life and well-

being, are facing neglect, constant budget cutting, and community upheavals.

(B) Rural America suffers from the highest unemployment rates in the United States, and a rate of poverty that is growing twice as fast as that found in metropolitan areas.

(C) One in 4 rural children lives in poverty compared to 1 in 5 children nationwide.

(D) More than 6,600,000 students attend 22,412 rural schools, of which 75 percent have fewer than 400 students.

(E) Approximately 24 percent of America's public school teachers are employed in rural schools. Teachers in these schools tend to be mostly white, young, less experienced, and less likely to have completed an advanced degree compared to their counterparts in nonrural areas.

(F) Educators in rural settings often feel isolated, constrained by small budgets, and frustrated by high staff turnover. Geographically cut off from other educators and educational institutions, rural educators often miss the professional interactions and development opportunities that help motivate and renew their urban and suburban counterparts.

(2) REGIONAL EDUCATIONAL LABORATORIES.—The Secretary shall enter into contracts with public or private nonprofit entities to establish a networked system of 10 regional educational laboratories which serve the needs of each region of the Nation in accordance with the provisions of this subsection. For the purposes of this subsection, the term "region" means 1 of the 10 geographic regions set forth in section 2(a) of part 707 of title 34, Code of Federal Regulations (34 CFR 707.2(a)), as published in number 157 of volume 53 of the Federal Register on August 15, 1988.

(3) DUTIES.—Each regional educational laboratory receiving assistance under this subsection shall assist State education agencies, intermediate education agencies, and local school districts in implementing broad-based, systemic school improvement strategies through the use of applied research and development activities. The regional educational laboratories shall support such system-wide reform efforts through—

(A) the dissemination of information about programs designated as exemplary and promising under subsection (C) and other appropriate programs and practices;

(B) the provision of support and technical assistance in—

(i) replicating and adapting such exemplary and promising practices;

(ii) the development of high-quality, challenging curriculum frameworks;

(iii) the development of valid, reliable, fair systems of assessment which are based upon State or local curriculum frameworks and reflect recent advances in the field of educational assessment

(iv) the improvement of professional development strategies to assure that all teachers are prepared to teach a challenging curriculum;

(v) expanding and improving the use of technology in education;

(vi) the development of alternatives for restructuring school finance systems to promote greater equity in the distribution of resources;

(vii) the development of alternative administrative structures which are more conducive to planning, implementing, and sustaining school reform and improved educational outcomes;

(C) the development of educational programs and practices that address State or regional needs in relating to their school reform efforts;

(D) the provision of support and technical assistance (upon their request) to State facilitators funded through the National Diffusion Network.

(4) NETWORKING.—In order to improve the efficiency and effectiveness of the regional laboratories, the governing boards of the ten regional laboratories shall establish and maintain a network to—

(A) share information about the activities each is carrying out;

(B) plan joint activities that would meet the needs of multiple regions;

(C) create a strategic plan for the development of activities undertaken by the laboratories to reduce redundancy and increase collaboration and resource-sharing in such activities; and

(D) otherwise devise means by which the work of the individual laboratories could serve national, as well as regional, needs.

(5) ADDITIONAL DUTIES.—Each regional education laboratory receiving assistance under this subsection shall carry out the following activities:

(A) Contribute to a fuller understanding of rural education and schools in the economic and cultural life of rural communities.

(B) Develop strategies to utilize schools as critical components in reforming education and revitalizing rural communities in the United States.

(C) Report and disseminate information on overcoming the obstacles faced by rural educators and rural schools.

(D) Identify successful educational programs that have either been developed by such laboratory in carrying out its functions or that have been developed or used by others within the region served by the laboratory and make such information available to the Secretary and the network of regional laboratories so that they may be considered for inclusion in the national education development and dissemination system.

(6) CERTAIN REQUIREMENTS.—In carrying out its responsibilities, each regional educational laboratory shall—

(A) establish a governing board that—

(i) is the sole entity that—

(I) guides and directs the laboratory in carrying out the provisions of this subsection and satisfying the terms and conditions of the contract award;

(II) determines the regional agenda of the laboratory, consistent with the priority research and development needs identified in section 405(b)(3); and

(ii) reflects a balanced representation of the States in the region, as well as the interests and concerns of regional constituencies;

(B) comply with the standards established by the Board under section 405A;

(C) coordinate its activities, collaborate, and regularly exchange information with the institutes established under section 405C, the National Diffusion Network, and its Developer Demonstrator and State Facilitator projects, learning grant institutions and district education agents assisted under subsection (i), the ERIC Clearinghouses, and other entities engages in technical assistance and dissemination activities which re supported by other Offices of the Department of Education; and

(D) allocate its resources to and within each State in a manner which reflects the need for assistance, taking into account such factors as the proportion of economically disadvantaged students, the increased cost burden of service delivery in areas of sparse populations, and any special initiatives being undertaken by State, intermediate, or local education agencies which may require special assistance from the laboratory.

(7) EVALUATIONS.—The Secretary shall provide for periodic, independent evaluations of each of the laboratories in carrying out the duties described in paragraph (2) in accordance with the standards developed by the Board and transmit the results of such evaluations to the relevant committees of the Congress, the Board, and the appropriate regional educational laboratory board.

(8) INVITATION REGARDING COMPETITION FOR AWARDS OF ASSISTANCE.—Prior to awarding a grant or entering into a contract under this section, the Secretary shall invite applicants, including the existing regional educational laboratories, to compete for such award through notice in the Federal Register.

(9) APPLICATION FOR ASSISTANCE.—Each application for assistance under this subsection shall—

(A) cover a 5-year period;

(B) describe how the applicant would carry out the activities required by this subsection; and

(C) contain such additional information as the Secretary may reasonably require.

(10) RULE OF CONSTRUCTION.—No regional educational laboratory receiving assistance under this subsection shall, by reason of the receipt of that assistance, be ineligible to receive any other assistance from the Department as authorized by law.

(k) AMERICA 2000 COMMUNITIES SPECIAL ASSISTANCE PROGRAM.—

(1) PURPOSE.—The purpose of the American 2000 communities special assistance program is to provide targeted field-based, technical assistance to the Nation's most impoverished urban and rural communities to enable them to achieve the national education goals and other objectives for educational improvement through the continuous, intensified application and utilization of the results of educational research.

(2) GRANTS FOR LEARNING GRANT INSTITUTIONS AND DISTRICT EDUCATION AGENTS.—The Secretary is authorized to make grants in accordance with this subsection to eligible entities for the establishment of Learning Grant Institutions and District Education Agents within eligible communities to administer the America 2000 communities special assistance program.

(3) DEFINITION OF ELIGIBLE ENTITY AND ELIGIBLE COMMUNITY.—For the purposes of this subsection:

(A) The term "eligible entity" includes any institution of higher education, regional education laboratory, National Diffusion Network project, national research and development center, public or private nonprofit corporation, or any consortium thereof that—

(i) has demonstrated experience, expertise and commitment in serving the educational needs of at-risk students; and

(ii) is, by virtue of its previous activities, knowledgeable about the unique needs and characteristics of the community to be served.

(B) The term "eligible community" means a unit of general purpose local government (such as a city, township, or village), a nonmetropolitan county, tribal village, or a geographically distinct area (such as a school district, school attendance area, ward, precinct or neighborhood), or any group of such entities that—

(i) has a population of not less than 200,000 and not more than 300,000; and

(ii) is located within one of the 50 congressional districts with the lowest median family income as determined by poverty indices established by 1990 United States Census.

(4) COMPREHENSIVE AMERICA 2000 PLAN.—Each Learning Grant Institution receiving assistance under this subsection shall assist in the development of a comprehensive America 2000 plan for assuring educational success for all students in the community. Each such plan shall—

(A) adopt the 6 national educational goals;

(B) identify additional needs and goals for educational improvement within the community;

(C) establish a comprehensive community-wide plan for achieving such goals;

(D) develop a means for measuring the progress of the community in meeting such goals for improvement.

(5) IMPLEMENTATION OF COMMUNITY-WIDE PLAN.—Each learning grant institution receiving assistance under this subsection shall, utilizing the District Education Agent, provide assistance

in implementing the community-wide plan for educational improvement by—

(A) disseminating information throughout the community about exemplary and promising educational programs, practices, products, and policies;

(B) assisting teachers, school administrators, other educational personnel, parents and others in—

(i) tracking educational programs within the community which receive Federal financial assistance and identifying changes in such programs which are likely to improve student achievement;

(ii) identifying, selecting and replicating exemplary and promising educational programs, practices, products, and policies in both in and out-of-school settings;

(iii) applying educational research to solve specific problems in the classroom, home and community which impede learning and student achievement;

(C) promoting the development of an integrated system of service delivery to children from birth through age 18 and their families by facilitating linkages and cooperation among—

(i) local education agencies;

(ii) health and social services agencies and providers;

(iii) juvenile justice and criminal justice agencies;

(iv) providers of employment training; and

(v) child care, Head Start, and other early childhood agencies; and

(D) mobilizing the resources of the community in support of student learning and high achievement by facilitating effective partnerships and collaboration among—

(i) local education agencies;

(ii) postsecondary educational institutions;

(iii) public libraries;

(iv) parents;

(v) community-based organizations, neighborhood associations, and other civic and community organizations;

(vi) child care, Head Start, and other early childhood agencies;

(vii) churches, synagogues and other religious institutions;

(viii) labor organizations; and

(ix) business and industry.

(6) ADDITIONAL REQUIREMENTS FOR LEARNING GRANT INSTITUTIONS.—In carrying out its responsibilities under this subsection, each learning grant institution receiving assistance under this subsection shall—

(A) convene and regularly consult with an advisory board that is broadly representative of the community, including public and private elementary and secondary school teachers and administrators, parents, librarians, college and university faculty and administrators, Head Start and child care agencies, labor, business, local elected officials, and community leaders;

(B) cooperate with the local education agency and, to the extent appropriate, the State education agency;

(C) appoint a District Education Agent who shall be responsible, on a full-time basis, for directing the implementation of the community-wide plan. Such individual shall have significant experience and expertise in the field of education in—

(i) addressing the needs of at-risk students; and

(ii) conducting educational research and promoting the application of the results of such research to educational practice;

(D) provide for such other professional and support personnel as may be necessary to implement the community-wide plan under the direction of the District Education Agent; and

(E) coordinate its activities and work cooperatively with the National Diffusion Network State facilitators, regional laboratories, and other components of the Office to utilize most effectively Federal research, development, and dissemination resources in implementing the community-wide plan.

(7) APPLICATION FOR GRANTS.—Any eligible entity desiring a grant under this subsection shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require. Each such application shall—

(A) include a comprehensive plan for meeting the objectives and requirements of this subsection; and

(B) provide evidence of support for the application from local elected officials, the State education agency, the local education agency, parents, local community leaders, businesses, and other appropriate organizations.

(8) PRIORITY IN MAKING GRANTS; DURATION AND AMOUNT OF GRANT.—Each grant made under this subsection shall be—

(A) awarded on a competitive basis, with first priority given to those applications from communities within congressional districts with the lowest median family income;

(B) made for a 5-year period, with funding for the second and each successive year in this period conditioned upon a determination by the Secretary that the grant recipient has complied with the conditions of the grants during the previous year; and

(C) an amount equal to not less than $1,000,000 per year.

(9) REQUIREMENT REGARDING CERTAIN CONGRESSIONAL DISTRICTS.—Not more and not less than one grant shall be awarded within each of the 50 congressional districts with the lowest median family income.

(10) CONTINGENT AUTHORITY REGARDING APPLICATIONS FROM CHIEF STATE SCHOOL OFFICER.—In the event that no eligible entity submits an application to provide services under this subsection to an eligible community within one year after appropriations become available to fund such application, the Secretary shall permit and encourage the chief State school officer of the State in which the eligible community is located to submit

an application under this subsection to provide services to such community. Such application shall provide for the carrying out of the program described in paragraphs (4) through (6) by the State education agency in conjunction with an eligible entity and shall otherwise meet all the requirements of this subsection.

(11) TECHNICAL ASSISTANCE; EVALUATIONS.—In administering the program authorized under this subsection, the Secretary shall, either directly or through grant or contract with an eligible nonprofit agency—

(A) upon request, provide technical assistance to eligible entities to assist in the development of a comprehensive plan to meet the requirements of this subsection and in the preparation of applications for assistance;

(B) regularly provide technical assistance to learning grant institutions receiving assistance under this subsection to assist with the development and implementation of the community-wide plan for educational improvement;

(C) provide for an independent evaluation of the activities assisted under this subsection, including—

(i) the impact of the America 2000 communities special assistance program on children and families within each community, including (but not limited to) effects on the extent of educational achievement, rates of school retention and completion, and enrollment in program postsecondary educational programs; and

(ii) whether an intensified effort to apply and utilize educational research within a limited geographic area significantly improves student learning and achievement; and

(D) plan for the expansion of the America 2000 communities special assistance program throughout the remainder of the Nation beginning in fiscal year 1997.

(l) REGIONAL PARTNERSHIPS FOR TEACHER CHANGE AGENTS.—

(1) PROGRAM AUTHORIZED.—

(A) The Assistant Secretary shall enter into contracts with regional educational laboratories, in partnership with 1 or more institutions of higher education in each State of its region, the National Diffusion Network, and other entities with demonstrated experience, expertise, and commitment in the areas of teacher research or teacher professional development, such as the national research and development centers, professional teacher organizations, and other qualified organizations and associations, in the region to carry out activities described in paragraph (2).

(B) The Assistant Secretary shall enter into contracts under this subsection in an equitable manner and shall provide assistance on the basis of the number of schools in each regional educational laboratory region with attention given to populations with special needs and the increased cost burden of service delivery in regions of sparse population.

(C) Contracts under this subsection shall be awarded for a period of not less than 3 years.

(2) PROGRAM ACTIVITIES.—

(A) Each regional partnership described in paragraph (1)(A) entering into a contract under this subsection shall carry out programs of providing training to teachers relevant to the needs and problems of the schools and school districts where teachers, who participate in the programs, serve. The purpose of such programs shall be to—

(i) educate teachers on how to acquire information about education research findings and best practices;

(ii) provide teachers with current education research and development theory, skills, and practice as shall enable them to modify, design, develop, and adapt such findings and practices to effect local district and classroom outcomes that improve education;

(iii) enable teachers to become actively involved in the applied research and development process;

(iv) provide teachers the ability to become leaders in the utilization of applied research and to become active participants in the Federal research and development partnership; and

(v) facilitate collaboration between the teacher change agent and the National Diffusion Network State facilitator.

(B) Teachers that participate in training assisted under this subsection shall be known as teacher change agents.

(C) The program described in subparagraph (A) shall provide teacher change agents with training during the summer and at such other times as agreed to by the district, which shall—

(i) give teacher change agents knowledge and guidance in using the existing educational improvement services and resources funded by the United States Department of Education and other major research organizations, including the products and work of the regional educational laboratories, professional teacher organizations, the National Diffusion Network, institutions of higher education, the Educational Research Information Centers, National Research Centers, National Research Institutes, State Departments of Education, local education agencies, and other nonprofit organizations participating in the improvement of education;

(ii) provide teacher change agents with indepth knowledge about a number of products, programs, and processes developed by entities described in clause (i) that the teacher change agents judge most relevant to the needs of the district or districts they will serve;

(iii) inform teacher change agents about government programs, including, but not limited, to programs in government agencies other than the Department of Education, which offer research opportunities and funding; and

(iv) provide teacher change agents with instruction in technical assistance skills in order to increase their ca-

pacity to aid district and school site teacher teams responsible for leading school improvement activities at the district and school site level.

(D) The school year activities described in subparagraph (A) shall provide teacher change agents participating in such program during the school year with—

(i) opportunities to meet with other teacher change agents to exchange experiences;

(ii) additional training or assistance as needed or requested;

(iii) updates in education research, application, and findings; and

(iv) opportunities to provide feedback into the educational research infrastructure regarding needed research and ways to improve the development and dissemination of information.

(E) The regional partnership program may support educational improvement and reform activities such as—

(i) training in applied research methodologies;

(ii) assistance in conducting applied research;

(iii) teacher research sabbaticals;

(iv) video conferencing for additional training in order to reduce travel time and expenses;

(v) training in developing and implementing effective teacher in-service training;

(vi) training in change management, including strategies for restructuring schools, building local capacity, and generally strengthening the culture of schools so that schools are conducive and supportive of change, including training in interpersonal and leadership skills; and

(vii) training in the appropriate use of technology to assist classroom teachers.

(F) TEACHER RESPONSIBILITIES.—Teacher change agents shall, during the school year—

(i) meet with other teachers and district or school site teacher teams to provide other teachers with knowledge about how to acquire information regarding education research findings and best practices, including what resources are available from the Department of Education and how to obtain products and technical services from the Department;

(ii) meet with the National Diffusion Network State Facilitator to coordinate and not duplicate efforts in the dissemination of exemplary educational programs.

(iii) help interested schools identify resources needed to address the school's needs and act as liaison between the school and the appropriate resource entities, such as regional educational laboratories, centers, national institutes, institutions of higher education, professional teacher organizations, scholars, consultants, and other schools and school districts that may be of assistance;

(iv) teach other teachers how to use the products, programs, and processes in which the teacher was trained pursuant to paragraph (2)(C)(II);

(v) work with other teachers and teacher teams to adapt identified exemplary practices, programs, and research results to implement school site or classroom improvements as desired, and provide follow-up activities throughout a 2-year period to ensure the successful adaptation and implementation of such programs in local schools; and

(vi) inform teachers about how they can obtain Federal research funding, fellowships, and sabbaticals.

(G) APPLICATION.—

(i) IN GENERAL.—Each regional partnership desiring a contract under this subsection shall submit to the Secretary an application at such time, in such manner, and accompanied by such information as the Assistant Secretary may reasonably require.

(ii) CONTENTS.—Each application described in clause (i) shall—

(I) contain a plan acceptable to affected States and local education agencies for conducting the program to be assisted under this section;

(II) contain assurances that the partnership requirements are fulfilled;

(III) contain assurances that both district and school site teacher teams will be established to work in conjunction with the teacher change agent;

(IV) contain a plan for the selection of district and school site teacher team participants and others as deemed appropriate by the teacher change agent and the regional partnership;

(V) contain assurances that the regional partnership, in conjunction with the participating school districts, shall provide each teacher change agent with a stipend for the entire calendar year commensurate with such teacher's salary and travel expenses, to permit a teacher to participate in such program without incurring loss of income;

(VI) contain assurances that each teacher change agent participating in the program shall receive an award of not more than $10,000 to be used by such teacher during the school year of such teacher's participation to purchase materials, support, and coordinate with other teachers or site teacher teams in the school district;

(VII) contain assurances that such regional partnerships shall provide not more than $5,000 to each school district or group of school districts having an individual from such district or districts participating in the program assisted under this section for each of the 2 years following such participation to enable such school district or dis-

tricts to continue efforts to improve dissemination of effective practices and programs within the district or districts;

(VIII) contain assurances that representatives of State educational agencies, intermediate educational agencies, teacher centers, teacher educators at institutions of higher education, and school district in-service or curriculum specialists will be eligible to participate in the program assisted under this section if such individuals pay the cost of their participation; and

(IX) contain an assurance that such regional partnership shall permit a teacher to participate in the program only after such partnership determines that the teacher will be afforded a full opportunity by the district to perform such teacher's responsibilities described in subparagraph (2)(F).

(3) TEACHER SELECTION AND ELIGIBILITY.—

(A) NOMINATION.—Teacher participants in the program assisted under this subsection shall be nominated by their peers at the school district level.

(B) ELIGIBILITY.—Each school district or group of school districts desiring to have teachers from such district or districts participate in the program assisted under this subsection shall provide the regional partnership with the names of such teachers, and an indication of the type of issues or problems on which each such teacher would like to receive information and training.

(C) SELECTION.—

(i) Teacher participants shall be selected by the regional partnerships in consultation with the State educational agencies in the region. Teacher participants shall be selected in such a manner so as to ensure an equitable representation of such teachers by States within the region.

(ii) The number of teachers selected each year shall be determined in accordance with the amount of funding received by the regional partnership.

(4) INDEPENDENT EVALUATION.—

(A) IN GENERAL.—The Board shall provide for an independent evaluation of the program assisted under this subsection to determine the net impact and cost effectiveness of the program and the reactions of teachers and school districts participating in such program.

(B) DATE.—The evaluation described in subparagraph (A) shall be submitted to the Congress within 6 months after the completion of the third year of the program.

(C) FUNDING.—The Assistant Secretary may reserve not more than $250,000 of the amount appropriated under section 405(i)(2)(E) to carry out the evaluation described in this paragraph.

NATIONAL LIBRARY OF EDUCATION

SEC. 405D. (a) IN GENERAL.—There is established within the Office a National Library of Education (hereafter in this section referred to as the "Library"), which shall be maintained as a governmental activity. The Office shall carry out this section acting through the Library.

(b) FUNCTIONS OF LIBRARY.—The functions of the Library are—

(1) to provide a central location within the Federal Government for information about education;

(2) to provide comprehensive reference services on matters related to education to employees of the Department of Education and its contractors and grantees, other Federal employees, and members of the public; and

(3) to promote greater cooperation and resource sharing among providers and repositories of education information in the United States.

(c) ONE-STOP INFORMATION AND REFERRAL SERVICE.—The Library shall establish and maintain a central information and referral service to respond to telephonic, mail and electronic and other inquiries from the public concerning—

(1) programs and activities of the Department of Education;

(2) publications produced by the Department of Education and, to the extent feasible, education related publications produced by the Departments of Labor, Health and Human Services, and other Federal agencies;

(3) services and resources available to the public through the Office, including the ERIC Clearinghouses, the research institutes, and the national education dissemination system;

(4) statistics and other information produced by the National Center for Education Statistics; and

(5) referrals to additional sources of information and expertise about educational issues which may be available through educational associations and foundations, the private sector, colleges and universities, libraries and bibliographic databases.

The Library shall maintain and actively publicize a toll-free telephone number through which public inquiries to the Library may be made.

(d) COMPREHENSIVE REFERENCE SERVICES.—The Library shall provide for the delivery of a full range of reference services on subjects related to education to employees of the Department and its contractors and grantees, other Federal employees, and members of the general public. Such services may include—

(1) specialized subject searches;

(2) search and retrieval of electronic databases;

(3) document delivery by mail and facsimile transmission;

(4) research counseling, bibliographic instruction, and other training services;

(5) interlibrary loan services; and

(6) selective dissemination of information services.

The Library shall first give priority in the provision of reference services to requests made by employees of the Department.

(e) COOPERATION AND RESOURCE SHARING.—The Library shall promote greater cooperation and resource sharing among libraries

and archives with significant collections in the area of education through such means as—

(1) the establishment of information and resource sharing networks among such entities;

(2) the development of a national union list of education journals held by education libraries throughout the United States;

(3) the development of directories and indexes to textbook and other specialized collections held by education libraries throughout the United States; and

(4) cooperative efforts to preserve, maintain and promote access to items of special historical value or interest.

(f) ADMINISTRATION.—The Library shall be administered by an Executive Director who shall—

(1) be appointed by the Assistant Secretary from among persons with significant training or experience in library and information science;

(2) serve for a renewable term of 4 years; and

(3) be paid at not less than the minimum rate of basic pay payable for GS–15 of the General Schedule.

(g) TRANSFER OF FUNCTIONS.—There are hereby transferred to the Library all functions of—

(1) the Department of Education Research Library;

(2) the Department of Education Reference Section; and

(3) the Department of Education Information Branch.

(h) COLLECTION DEVELOPMENT POLICY.—Not later than 180 days after the enactment of the Educational Research, Development, and Dissemination Excellence Act, the Executive Director shall promulgate a comprehensive collection development policy to govern the Library's operations, acquisitions, and services to users. Such collection development policy shall—

(1) be consistent with the functions of the Library set out in subsection (b);

(2) emphasize the acquisition and maintenance of a comprehensive collection of reference materials; and

(3) avoid unnecessary duplication by putting a priority on meeting the information needs of the Library's users through cooperation and resource-sharing with other entities with significant collections in the field of education.

(i) ARREARAGE AND PRESERVATION.—On the basis of the collection development policy promulgated under subsection (h), the Executive Director shall develop a multiyear plan which shall set forth goals and priorities for actions needed to—

(1) eliminate within 3 years the arrearage of uncataloged books and other materials in the Library's collections; and

(2) respond effectively and systematically to the preservation needs of the Library's collections, relying, whenever possible, upon cooperative efforts with other institutions to preserve and maintain the usability of books and materials in the Library's collections.

* * * * * * *

SECTION 202 OF THE DEPARTMENT OF EDUCATION ORGANIZATION ACT

PRINCIPAL OFFICERS

SEC. 202. (a) * * *
(b)(1) * * *

* * * * * * *

(3) There shall be in the Department an Assistant Secretary for Educational Research and Improvement who shall be—

(A) appointed by the President, by and with the consent of the Senate;

(B) selected in consultation with the National Educational Research Policy and Priorities Board from among individuals who—

(i) are distinguished educational researchers;

(ii) have proven management ability; and

(iii) have substantial knowledge of education within the United States.

* * * * * * *

MINORITY VIEWS ON H.R. 4014, THE EDUCATIONAL RESEARCH, DEVELOPMENT, AND DISSEMINATION ACT

The Office of Educational Research and Improvement is the arm of the Department of Education responsible for carrying out federally supported education research, development, and dissemination. The work it carries out is important to the future of the American education system.

The Committee reported version of H.R. 4104 is by and large a good bill. Several of the important provisions have been developed in a bipartisan manner and create an organizational structure that should carry OERI into the next decade. We are particularly supportive of the new institute structure which will focus the agency on educational issues rather than funding categories, the authorization for the computer network (SMARTLINE) to interconnect researchers and educators, and the improved dissemination capabilities.

Unfortunately, we were not able to reach agreement with the majority on the Committee on several important provisions. The first of these is the way in which the new National Educational Research Policy and Priorities Board is appointed. The bill would have the members of this Board appointed from among nominations made by groups named in the bill. We feel that it is bad public policy and a bad precedent to allow membership organizations to control certain seats on such an important Board.

In addition, we believe that the duties of the Board must be revised so as to clarify that the Secretary of Education is responsible for carrying out the education policy created by Congress, not by a Board without any public accountability. For example, H.R. 4102 currently allows the Board to veto any grant over $500,000. This is both inappropriate and unacceptable.

Our second concern deals with the restrictions placed on OERI in supporting the development of content or student performance standards, curriculum frameworks, and student assessments. The Department of Education has already been supporting this kind of work and should be encouraged, not discouraged, from continuing it. States and local groups across the country are eager for assistance in their efforts to improve curriculum, assessments, and standards. Throwing road blocks in front of this effort will only serve to delay these positive developments and remove a needed source of support.

We hope that these concerns can be dealt with and the legislation moved forward so that it can be signed into law this year. However, we feel that these problems are significant enough to cause us to do whatever we can to rewrite them in order to allow the Department, and OERI, to carry out its mission.

In its current form we would strongly oppose passage of this legislation.

BILL GOODLING.
TOM COLEMAN.
CASS BALLENGER.
HARRIS FAWELL.
JOHN BOEHNER.
BILL BARRETT.
STEVE GUNDERSON.

○